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Evidence Given Before the Public Account
s Committee, 2Nd Session, 4Th Legi 1



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EVIDENCE

GIVEN BEFORE THE

ACCOUNTS COMMITTEE

SECOND SESSION, FOURTH LEGISLATIVE ASSEMBLY
PROVINCE OF ALBERTA

1919

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EDMONTON:
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LEGISLATIVE ASSEMBLY, PUBLIC ACCOUNTS COMMITTEE

THURSDAY, FEBRUARY 13, 1919, 10.30 A.M.

MEETING FOR ORGANIZATION PURPOSES

MR. CRAWFORD: I desire to have brought before this Committee for their inspection certain matters in connection with the Public Accounts, 1917, principally the Department of Municipal Affairs, and I would ask for the following vouchers to be placed on the table of the Committee:

J. M. Dechene: Travelling expenses; Municipal Department, \$766. We would like all the vouchers and receipts in connection with this.

D. A. Boychuk: Travelling expenses under the Municipal Department for the same year; all vouchers and receipts; \$588.

D. C. Gourlay: Travelling expenses under the Wild Lands Tax Branch, \$331.

A. K. Whiston: Travelling expenses under the Municipal Department, \$1,498; all vouchers connected therewith.

C. J. Corberand: Travelling expenses under Wild Lands Tax Branch, \$1,204.

G. H. McFetridge: Travelling expenses under Wild Lands Tax Branch, \$1,701.

C. E. Lesseur: Travelling expenses under the Wild Lands Tax Branch, \$345.

A. Briere: Travelling expenses under the Wild Lands Tax Branch, \$1,619.

J. W. Chapman: Travelling expenses under the Wild Lands Tax Branch, \$1,658.

H. M. Cavan: Travelling expenses under the Wild Lands Tax Branch, \$2,011.

A. E. Humphries: Travelling expenses under the Wild Lands Tax Branch, \$2,663.

And the vouchers for the travelling expenses of The Honourable Wilfred Gariepy for 1917, \$1,953.

The first witness in connection with this Department we would ask for is Mr. John Perrie, the Deputy Minister. We would also ask for Mr. C. E. Lesseur, an ex-employee of that Department, to be summoned before the Committee immediately following Mr. Perrie. The other witnesses we can ask for later.

Last year several of these vouchers were laid on the table, but it took some two or three weeks after they were asked for. I do not know what difficulty there was in getting them prepared, but if it will facilitate the Department in getting these vouchers in order—these vouchers are all stamped by the Auditor's number and referred to by number, and I can give you the Auditor's number of each voucher if it will facilitate getting them together, if it is necessary to have it.

MR. EWING: I wish to call witnesses:

Mr. W. J. Webster, of Edmonton.

Mr. A. G. Browning, the Deputy Attorney-General.

Mr. R. J. Daly.

I mention Mr. R. J. Daly now because I understand that, although his place of business is ordinarily Winnipeg, he is now in the city and is available, so that we can examine him at his convenience. And I should like Mr. Daly to produce all letters and copies of letters relative to the sale of lands in the vicinity of Lethbridge to Mennonite immigrants.

Then I would like Mr. H. A. Craig, the Deputy Minister of Agriculture.

I would also like to examine on one point, with the sanction of this Committee, the manager of the Merchants Bank at Edmonton. He is not an employee of this Government.

MR. BOYLE: Do you wish the manager to produce anything?

MR. EWING: No.

THE CHAIRMAN: Will you give me a typewritten list?

MR. EWING: All right.

MR. BOYLE: In what order do you wish these witnesses called?

MR. EWING: The reason I mention Mr. Daly now is that I understand he is in the city, and we can take him at any time. I mean I would not want to have him stay over, and I do not want him to go away from Edmonton without coming before the Committee. And of the others, I want Mr. Webster first.

MR. BOYLE: Do you want Mr. Webster at the next meeting of the Committee?

THE CHAIRMAN: Take up one Department first.

MR. CRAWFORD: You had better have Mr. Daly appear first.

MR. EWING: We will take Mr. Daly at any time, but we will go on at the next meeting of the Committee with Mr. Webster and Mr. Browning.

During a discussion it was moved by Mr. Hoadley, seconded by Mr. Weir, "That the Committee sit from the hour of 9.30 a.m. to the hour of 12.30 p.m. each day that it convenes."

Upon being put to a vote the motion was declared lost.

MR. WEIR: In view of the fact that the motion is declared lost, what is the status now? At what hour do we meet?

THE CHAIRMAN: 10 to 12.

MR. BOYLE: The usual hour.

Moved by Mr. Hoadley, seconded by Mr. McCallum, "That this Committee now adjourn." Carried.

Committee adjourns *sine die*.

TUESDAY, FEBRUARY 18, 1919. COMMITTEE RESUMES AT 10 A.M.

T. A. Powell sworn as stenographer.

ROBERT J. DALY called and sworn, testified as follows: (Examined by Mr. Ewing)

Q.—What is your position with the Government of the Province of Alberta? A.—Well, I have acted as Assistant Publicity Commissioner; that is about the general work.

Q.—How long have you been Assistant Publicity Commissioner? A.—Since the first of February, 1910. I am in my tenth year now.

Q.—And you have occupied the same position during all that time? A.—All the time—yes.

Q.—Where are you located? A.—Well, I was for the first six years or more, or seven, in the city of Winnipeg, and I had charge of what might be termed or some would call the Information or Colonization Bureau there, where we had advertisements and everything of that kind.

Q.—And since then? A.—After the war had proceeded a certain time it was considered advisable to close the Winnipeg office—the Information office and work of that kind, and I have been working here at Edmonton and out of Edmonton.

Q.—You are in Edmonton now? A.—Going from here to the United States and other points looking after the work.

Q.—And your headquarters are in Edmonton now? A.—Yes, sir.

Q.—I did not know that. A.—I might add, in the same connection, that my duties, I suppose these past three years, or four years, I have given perhaps most attention or at least a great deal of attention to the farm labour problems owing to the necessity for it.

Q.—I was coming to that. What were your duties generally speaking? A.—Well, while in the work I was assisting in making up the reports of the year and also in putting out and sending away literature and maps and gathering that material, assisting in that direction, and also to meet parties who might be coming into the province or who were in the province seeking information about the province,—general publicity work. In the farm labour work, it was organizing the bureaus and visiting them and helping to direct the work, and also going away to Winnipeg or to points in the United States to secure labour. That is the general trend of the work.

Q.—You had to do with the location of people in this province? A.—Yes, to a certain extent I advised them.

Q.—Now with respect to that particular branch of your work, what were your duties? A.—Well, just as I have stated.

Q.—Well, you mean meeting them in your office, or would you go out and assist them in locating? A.—Would go out at times; yes, sir.

Q.—What salary were you paid? A.—I was paid \$150 per month.

Q.—Have you never got a raise during that time you have been in the service? A.—No, sir. I have had that, and I have had no advance.

Q.—That is, you started with that salary nine or ten years ago? A.—Yes, sir.

Q.—And are still getting it? A.—Yes.

Q.—And you are devoting your whole time and attention to the work? A.—Yes, sir.

Q.—And you have no other source of revenue but that? A.—No, sir.

Q.—Now in connection with your duties. You visited Lethbridge on several occasions, did you not? A.—Sometimes; yes, sir.

Q.—Do you remember going there about two years ago in connection with some immigrants who were coming into this country? Or perhaps you visited Lethbridge often, did you? A.—Yes, sir.

Q.—And that does not bring anything to your mind? A.—No, sir.

Q.—It does not. Well, do you know a man named Scott in connection with any work that you have done in your capacity of Assistant Publicity Commissioner? A.—I do; yes, sir.

Q.—What is his first name? A.—"M."

Q.—Where does he live? A.—At Winnipeg.

Q.—He lives at Winnipeg? A.—Yes, sir.

Q.—Do you mean the Immigration Agent? A.—Well, I know the Immigration Agent; he is at Ottawa.

Q.—He is at Ottawa now? A.—Yes, sir.

Q.—What are his initials? A.—“W. D.” Scott.

Q.—What relation is the man you mentioned to him? A.—I do not know.

Q.—As far as you know he is not any relation? A.—Not to my knowledge.

Q.—What did you say was the initial of the other Scott? A.—“M.”

Q.—And he lives in Winnipeg? A.—Yes, sir.

Q.—Do you remember going to Lethbridge with him on two or three occasions? A.—This past year?

Q.—Oh, no, a couple of years ago. A.—No, sir.

Q.—Were you in Lethbridge with him? A.—Yes, I was.

Q.—On more than one occasion? A.—I think I was.

Q.—Can you place the occasion? A.—Well, I cannot just say—no.

Q.—Do you remember what business you had with him in Lethbridge? A.—Well, I think I might say that—I think you will allow me to make an explanation of it or statement—if you would?

THE CHAIRMAN: Yes.

A.—I wish to say to the Chairman of the Committee and in reply to Mr. Ewing, I have an idea what you wish to have from me in relation to this question. I believe I am brought before you in connection with the matter of the bringing of the Mennonite people here and I want to say that Mr. Scott was in connection with these people, and I want to say further, because that may shorten a good deal of the matter which is before you and save time, and I feel like saying this—

MR. EWING: Never mind about the time; we will save that if necessary.

A.—I believe it has been reported that I had been negotiating with certain agents in regard to commissions on sales of land to these Mennonite people, that I have had certain conversations or conferences with agents and that I wrote certain letters to those agents regarding commission or that I was offered a certain share of commission providing that the lands that they wished to submit to these people, if I recommended them, were sold that I would participate in a share of these commissions. Now I wish to answer that—I wish to give my answer to that to you and that is this, that I did have meetings with certain agents and conference with them and I wrote letters to them and I was offered commissions.

Q.—Mr. Daly—

A.—Now excuse me, if you will. I want to proceed and tell you, if you will allow me and give me this privilege, to say to you that I am free to say, though rather humiliated in saying it, but I may tell you—and I wish to say so, that I accepted their propositions and offers and I did a very improper thing in entering into these conversations or negotiations or listening to these proposals or these offers, but I did. I did do it. I am not here to try to cover that up.

Q.—No, I do not think so.

A.—No, I do not want to; I want to make that fair statement. And I want to say it was contrary to the rules of the Department and I deserve a very great censure for it. Now, of course, I might say that these people did meet and see the certain lands that were given to them the descriptions, and visited them. And I will also say, for I am not wanting to cover that, I recommended them those lands because I believe they were suitable for their purpose. I have no reason to say differently and I want to also say, however, that the lands were not sold to them; they did not buy them for certain reasons. It is no use going into that; they would have if it had been different seasons or conditions no doubt. However, that does not alter the case, for if they had purchased them and the agents had received the commissions I have every reason to believe they would have given me part of the commissions.

Q.—Divided it up with you?

A.—Divided it with me. I do not want to cover that up; I do not want to make any excuses to cover myself in the matter, nor do I want to lay any blame on any other person in connection with the matter. But I am here to say that I regret that action very, very much. I have been in the service of this province for a great many years; I have tried to do faithful service. I, like many others, perhaps, would have liked to have made a little bit more. I was introduced to the matter by a very particular friend of my own who urged me to take it and, as the saying is, I fell for it to that extent. I made a mistake. I made a very grave mistake. I regret it very much. Nobody regrets it more than I do because I brought something, I think, of a reproach upon the Department with which I am engaged. Now, gentlemen, there is the case; I am putting it fairly before you. I ask you to accept it as such and I ask you as members of this Committee and the Minister of the Department and the Deputy Minister of the Department and my associates in the Department, to forgive me this error, and I leave it with you.

MR. WEIR: Did you meet any of these people in the States or did you meet them here after they came here?

A.—I met them here after they came here and I met some of them there before they came here.

MR. EWING: The Committee have heard what you said and I do not think there is any malice from any of the members of the Committee towards you at all, but in the interests of the public we want to get the facts of the case. Now, in the light of all you have said, I want to

get briefly the facts. You met Mr. Scott in Lethbridge in connection with the Mennonites coming in here? A.—Yes.

Q.—Did you go to the States with Mr. Scott? A.—I tell you I was in the States on the errand, on the business of securing farm help, in South Dakota, and Mr. Scott was on the way going there and I joined in with him and I went over at his request to see these people.

Q.—What is Mr. Scott's business? Do you know? A.—He sells farm lands and financial agent; he loans money and carries on something like a trust business in Winnipeg, and sells lands.

Q.—Where were these Mennonites coming from, do you know? A.—They were from South Dakota.

Q.—Were they coming in large numbers or were you dealing with individuals? A.—Well, no. The parties that Mr. Scott had to do with embraced some five or six or seven colonies—what they call colonies—and there would be 14, 16 or 18 families in a colony. That would make 75 or 80 persons, children and all.

Q.—In a colony? A.—Yes.

Q.—And how many colonies? A.—Well I might tell you—altogether the colonies that I heard of would be about 15 or 16—total 14 to 16.

Q.—That would be roughly speaking about 1,200 people? A.—Yes, to 1,500.

Q.—Where did you propose locating them? A.—Well, they had a tour through the western provinces with Mr. Scott in December, 1917, in Manitoba, Saskatchewan and Alberta.

Q.—Just representatives? A.—Yes, delegates, some three or four delegates.

Q.—Were you with them on that occasion? A.—No, sir.

Q.—When did you go down to see them in Dakota? A.—In the latter part of March, 1918.

Q.—And what arrangements did you make while you were down there? A.—Well, I made no arrangements.

Q.—Well, what negotiations? A.—I was there—well I might say fairly—I think it is quite proper to say so that if they were coming here or anticipated coming here, it was a question in my mind whether they were desirable citizens, whether we might not better interfere with their coming and see into various things—whether they were living in a proper way in sanitary houses, and a proper way, and what kind of schools and things of that nature. And I took that trouble, as I was not far away from where they were living, to go and look through their manner of living.

Q.—To see whether or not they were proper people to come to this province? A.—Yes.

Q.—And what conclusion did you come to? A.—Well, I think, although I was a little prejudiced in my opinion, I did not see any objection. That is to say they were agriculturists rather higher than the ordinary, they had good horses and stock and clean homes and had schools and they were teaching English in their schools, as well I might say, as some German. But I heard these people say, and that is one thing I wanted to put my own judgment on, because I am a little bit, if I am anything, extreme, in the fact that we want national schools and I have been standing up for them pretty strong in my own experience in the past 10 or 15 years. And that is what I wanted to see—the certificates of their school teachers. And I saw they were teaching English but they did teach some German. But I pointed out to them I did not think they could expect to carry on that double language in Canada and particularly in Alberta, I told them.

Q.—You made a pretty full investigation? A.—Yes.

Q.—And the conclusion you came to was they were desirable settlers barring this little thing you mentioned and you would be doing what is proper in assisting them in coming to this country?

A.—Well, I might just tell you—and I think if any others are here present who were raised in the same way as I was in Ontario—I was raised in a community where there were large numbers of Mennonites in the county of York in the good old township of Markham and Pickering where they were numerous; they were thrifty, their note was hardly ever asked for because they paid their debts promptly; they were good living, religious, in fact a little extremely religious and I thought to myself if they were Mennonites and these people coming up here, and we wanted so much of our land tilled and they were good producers, that although they were conscientious objectors and did not want go into war, I thought perhaps that was the better side of the thing and they might help produce and anyway war would not always be on the programme and if they would turn out and be as they were where I was originally brought up, they would not be objectionable people. Of course, I might tell you, Mr. Ewing, and other members of this Committee, that in the question of inspecting the living, I did not fall in with the idea, and I might not want to live in that way and would not want to recommend it; but I might just say it and it is not improper to say it—the things that we are advocating now—now I say “We” the U.F.A. and many other associations that might be named—our farm journals—are advocating co-operation, purchasing together, sell together, get together. They have it to the extreme; they are 25 years ahead of us in all of that kind of thing, that is, in that particular way. They do—they carry out that to its logical conclusion.

MR. WEIR: Did they live in communities where you lived?

A.—No, sir, they lived on individual farms.

Q.—I know that settlement; the best in the world.

MR. EWING: You arrived at the conclusion generally speaking that they were settlers that might with advantage be brought into Canada and, despite one or two prejudices against them, they were good settlers and you took it on yourself to assist in bringing them here?

A.—Yes, sir.

Q.—Where did you propose locating these people? A.—Well, I had not any particular place, only we were, I might say that it was asked where would there be tracts of say 4,000 acres or 5,000 acres or 6,000 acres. Well, they were not numerous and I was pretty well acquainted with the province. I may say I read in one of the public papers here in the city that I am the land agent of the Government. Well, there is not any department of land agency and I am not the land agent and in my experience most of the people I have helped settle have been homesteaders. But in my knowledge of the province and from the maps I selected places and told them where there might be opportunities to get larger pieces of land.

Q.—It was part of their intention and yours that they should settle in one place?

A.—Yes, sir. The reason for that is they do not like to be scattered apart because of their visiting in religious conventions and services and fraternising together back and forth. They do not like to be too far separated.

Q.—Where did these 16 colonies finally locate? A.—Well, as near as I know, I should say that after May or about May or the first of June the duties of supplying the farm help here in the province became so urgent and was so difficult a problem owing to the different changes in the situation we were unaware of, that we were put to our wit's end, so to speak, to engineer that and I was called back. I was only a limited time with them and I am only telling now from hearsay what I know of their locating. I was after that time at my other duties and I know some of the places they accepted earlier in the season.

Q.—Were you with them on any of these inspecting tours? A.—Two or three, yes.

Q.—Was Mr. Scott with them? A.—Yes.

Q.—And you and Mr. Scott went with the delegates to inspect these places? A.—Yes, sir.

Q.—What locations did you inspect?

A.—The largest one and where they first wanted to inspect—they had had communication with the Canadian Pacific Railway and one of the agents of the C.P.R. was assisting in guiding them. They were in the district around Bassano and Brooks, and they did inspect about 20,000 acres of land there in the earlier part of the season and they had, as I understand—I think it is correct—they had an option at a price with the C.P.R. people to take that block. It was quite isolated. You might naturally infer they would rather get where they were by themselves. But this appeared to be suitable, but owing to the dry conditions later they gave that up, and then they visited a tract of land east of Olds, about 12 miles, that comprised about 15,000 acres of excellent land. I know the objection one or two had——

Q.—Were you with them on that occasion? A.—Yes, sir, I was there.

Q.—Who was with them in addition to the delegates on that occasion when you went to the Olds land? A.—I was alone then.

Q.—Mr. Scott was not with them at all? A.—No. The objection there was, they ran a good deal of cattle and sheep and their choice was in most cases to get where it was hilly or rougher or range district. And the Olds district being more adapted to farming and not to sheep they did not take to that.

Q.—They then went to Lethbridge? A.—They went that way—yes.

Q.—Did you go with them? A.—I was there once with them.

Q.—Who was with them at the time you were there? A.—Mr. Scott.

Q.—Anyone else? A.—No, not that I remember just now.

Q.—Were any real estate agents assisting them in trying to locate outside of Mr. Scott? A.—I think there were—yes.

Q.—Who were? A.—I could not say all, especially in the lower part, because while I would meet them occasionally or meet them in Lethbridge and we had a labour bureau there and I went there to visit the labour bureau and I had no knowledge of their transactions around Lethbridge or south of there, but I know several agents were introducing their lands.

Q.—Had you anything to do in that connection with a firm called Pilling and Company? A.—No, sir.

Q.—Do you know any such agents? A.—I believe there is. I believe they have sent here for maps. I think there is an agency.

Q.—But in connection with the location of the Mennonites you had nothing to do with Pilling and Company? A.—No.

Q.—Did you know that Pilling and Company were endeavouring to dispose of land to the Mennonites? A.—I think I did.

Q.—How did you get that information? A.—Hearing it. I have heard one or two of the Mennonite people say that Mr. Pilling did.

Q.—As a matter of fact Pilling and Company did make arrangements with the Mennonites for a large block of land, did they not? A.—I think maybe they did but I am not so certain.

Q.—Was Pilling and Company one of the agents with whom you had arrangements for division of commission? A.—No, sir.

Q.—Do you know anything about what commission was paid in connection with that? A.—No, sir.

Q.—You have no knowledge of that whatever? A.—No, sir.

Q.—Did none of the Mennonite delegates mention it to you? A.—No.

Q.—Did you see any of them after they had located—any of the delegates or any of the

Mennonites? A.—Well, just casually maybe on the train. I think I may have, once, between Calgary and Lethbridge—two of them on the train.

Q.—Did they discuss their location with you? A.—Very little. They said they had been getting a couple of places, and that recalls to my mind now what they asked me to do for them. There were quite a few coming in the next week or two with their families and they wanted to get a couple of tents and I recommended them to apply to the Immigration Commissioner at Winnipeg, and he forwarded them two or three tents.

Q.—Do you know anything about the price they paid for their land at all? A.—No, sir.

Q.—Have you no information on that point? A.—Only by hearsay.

Q.—What by hearsay? A.—Well, hearing people say what price they were being asked and what they likely paid. I cannot tell of my own knowledge. I do not know.

Q.—You were not there when the transaction took place? A.—No.

Q.—Among the things you heard, did you ever hear that \$24,000 was paid in commissions? A.—No.

Q.—You never heard that? A.—No, sir. I doubt it. I am just saying that of course.

Q.—I am just asking you if you heard it? A.—No. I think there was considerable competition, generally speaking, and I think they cut the commission in many cases pretty close.

Q.—Had you any communications with any other agents besides Pilling and Company?

A.—Well, the people that I had were not at Lethbridge.

Q.—And it was not in connection with the sales of the Lethbridge lands that you were? A.—No, sir.

Q.—You did not get part of that \$24,000? A.—No, sir.

Q.—Or of any money whatever in that connection? A.—No, sir. As I said—if the other one or two parcels had been sold I presume the people would have done what they promised to do or what they offered me, but it did not carry out.

Q.—These Mennonites subsequently came and settled on this land?

A.—Not nearly the numbers that were expected. I should perhaps say that owing to two or three conditions, mainly the very dry conditions here during the summer season and the very, as I am told, I must say—only this is hearsay—the tenacious and pressing efforts of agents who brought some of them—you see, Mr. Scott only brought two or three sets of these people, but the agents from St. Paul and Minneapolis who pressed them, and others who brought parties of them, were trying to press them to take lands in Saskatchewan and also in Manitoba, and there was a very much larger number of them located in Manitoba and Saskatchewan than there was here, and there was also quite a number of them taken out by the agent from Kansas, Omaha, and that way, out into British Columbia, and I think quite a number settled there. I think there was only a limited number of them here; there was not nearly the number of them here as was talked about in the papers.

Q.—How many came in with your knowledge and with your assistance? A.—I have been trying to think that over, but approximately I do not think in the province of Alberta of that community kind of Mennonites, I do not think it would exceed 700 in all. I do not think so. There might be a little more, taking children and all.

Q.—And are they all located in this Lethbridge colony? A.—Well, they would be south of Magrath, some of them, and some in the vicinity of Macleod along the Belly River—one or two colonies. I have not visited that part and I do not know their location, but there would be four or five colonies.

Q.—You told us you were the Assistant Publicity Commissioner. Who is the Chief Commissioner? A.—Mr. Charles S. Hotchkiss was the Chief Commissioner at this time.

Q.—Where did he live? A.—In Edmonton.

Q.—He had knowledge of what you were doing in this connection all this time? A.—Yes, of course; I worked under him.

Q.—And worked under his directions? A.—Yes, sir.

Q.—You said a moment ago you did not want to blame anyone else in this connection? A.—No.

Q.—Did you mean by that that you wanted to shoulder the whole blame? A.—Well, that is to say, that is in regard to finding fault with the agents, as it were, to put anything against them for making negotiations or offering me—I do not want to hide under any claim of that nature, to say that they lured me into that or this—I take the responsibility.

Q.—For that? A.—Yes, for that.

Q.—And had you entered into arrangements with anybody else? A.—No, sir.

Q.—That was not discussed? A.—No, sir.

MR. WEIR: Who owned that parcel of land east of Olds that you were looking at?

A.—I believe it is one of the firm of Baxter and Reid. I believe it is Mr. Baxter, the surviving member, I understand.

MR. EWING: Baxter and Reid were arranging to sell the land, were they? A.—They were people offering that.

Q.—That sale did not go through? A.—No, sir.

MR. WEIR: How did they get into touch with you?

A.—It was through agents. I never approached any owners.

Q.—Do you know who the agents were—who the mediums were? A.—There were two or three parties who professed to be that.

Q.—Do you remember who they were? A.—No.

MR. EWING: While we are on the Baxter and Reid business—was it in connection with the sale of that property that you entertained a proposal to divide the commissions?

A.—No; it was another parcel.

Q.—That is in connection with the Baxter and Reid parcel? A.—No, it was in connection with other parcels.

Q.—Was there any mention of commissions in that? A.—No, sir.

Q.—You have all your files with you, I suppose? A.—Well, I have nothing in connection with matters of that sort.

Q.—What became of your letters and copies of letters in that connection? A.—Well, I had very little letters. I had no departmental letters in connection with that. It was with meeting people and speaking to them.

Q.—Didn't you write any letters in connection with commissions? A.—Possibly I did.

Q.—Have you copies of them on your file? A.—No.

Q.—What became of the copies of your letters in that connection? A.—Well, the few there were I would not have copies.

Q.—Did you make copies? A.—No.

Q.—Did you write the letters on your official paper? A.—Sometimes on ordinary note paper. But sometimes I might write it on the ordinary official paper, having it in my satchel.

Q.—When you wrote letters on official paper as an officer of the government would you keep copies of them? A.—No, sir; when I am outside away from the buildings I rarely have a copy.

Q.—When you make a typewritten letter, don't you keep a copy? A.—Well, if I would send a typewritten letter, I don't know, I might have a copy and might not.

Q.—Don't you make a practice of keeping copies of letters? A.—Not if it was my own private business. I would if it was departmental work.

MR. WEIR: Do you do your own typing?

A.—No, I get a young woman to write a letter, just merely to do it quicker—something like that.

MR. EWING: And you think you have no copies of any letters nor any letters from other persons with respect to the division of commissions?

A.—Well, not that I can just recall.

Q.—Where are your files now? A.—Well, the files of the department are here in the buildings but I have no files.

Q.—You have no files apart from the Departmental files? A.—No, sir.

Q.—Do you think you could get the files relative to sales of land, from Winnipeg, and bring them to this Committee? A.—I did not have any communication from Winnipeg.

Q.—Do you mean to say you did not write any letters from Winnipeg in connection with the sales of land? A.—I was telling you a while ago that I have been here in Edmonton for some time and since then I have been in Winnipeg only visiting.

Q.—I am talking of the time you were in Winnipeg. I am asking if you can tell me. I am only speaking from memory now, but I would like you to tell me whether any proposals which were made with reference to the division of commissions, to which you have referred were made in writing? A.—Well, I rather think they were.

Q.—That is, they were made in writing from the persons who gave them, and the replies to them were made in writing by you? A.—Yes; in one or two instances, yes, or three perhaps.

Q.—You mean in one or two cases or do you mean you only wrote one or two letters? A.—I mean there might have been two or three letters. I would not be sure just, but what there might be some brief note.

Q.—Generally speaking, there were only two or three letters in that connection? A.—Yes.

Q.—Can you produce the copies of the letters you wrote? A.—I do not know.

Q.—Were they typewritten letters? A.—Well, if they were I do not know whether I would keep letters.

Q.—But do you recall the fact as to whether they were typewritten? A.—Well, there would be very few if any if they were. There might be.

MR. WEIR: How many firms do you suppose you had this sort of communication with?

A.—Oh, a couple—two firms.

Q.—Two or three? A.—Yes.

Q.—Have you anything on your files at all, departmental or private, in the way of letters with any of the responsible people of the Mennonite colony in connection with their settlement in this province? A.—No, sir.

Q.—There is nothing in connection with that? A.—No.

Q.—Or their communications at all? A.—No.

MR. EWING: How long were you down making this first inspection? I am speaking of the inspection of the Mennonites down in Dakota? A.—Oh, I have been there—well—only a couple of days.

Q.—In all these cases of course your expenses are paid by the province? A.—Yes.

Q.—All your expenses, travelling? A.—Yes, unless there would be times I would have a vacation period or an allowance off.

Q.—But when you are out on departmental business your expenses are paid by the province? A.—Yes.

Q.—When you came back from there did you report to your principal? A.—Yes, sir.

Q.—You made a report to your Department? A.—Yes, sir.

Q.—That will be on the files of your Department, will it? A.—I think so. I think most of it would be a verbal report, but I think I made a memorandum.

Q.—You can produce that report, can't you? A.—I think so, if necessary.

Q.—I would like you to get that for some other day when the Chairman will request you to attend. A.—Yes. Yes, I think there is a little memorandum.

Q.—Were you in the office of Pilling and Company with respect to this transaction? A.—I would not say I was not. I may have gone in and out to that office but not in any transaction, no.

Q.—In connection with the coming in of these people? A.—Well, I may have been in their office and out again.

Q.—Do you recall being in there? A.—Yes.

Q.—More than once? A.—No.

Q.—You just were in there once? A.—Yes. I might have been twice.

Q.—You knew that Pilling and Company were—— A.—Offering them lands.

Q.—Offering them lands? A.—Yes.

Q.—Was it before or after they had inspected the lands submitted by Pilling and Company that you were in Pilling's office? A.—Well, I think it was while they were discussing it maybe or while they were offering it—at that period.

Q.—Do you know the price Pilling & Company were offering the lands for? A.—No, I could not say.

Q.—You never made any enquiry in that regard? A.—No. I do not remember hearing any particular prices.

Q.—Well, didn't Pillings tell you when you were in their office what the price was? A.—No, I do not think they did.

Q.—Didn't they suggest to you what commission they were going to get out of this thing if it went through? A.—No, sir.

Q.—That was never suggested? A.—No, sir.

Q.—Never mentioned? A.—No, sir; I had no dealing with them about it at all.

Q.—Do you know Miss Peterson, the secretary-treasurer of Pillings and Company? A.—No.

Q.—You do not know her at all? A.—No.

Q.—Never spoke to her to your knowledge? A.—Not to my knowledge, no.

Q.—Were you driven through the country by Miss Peterson? You never went out with her, did you? A.—No, not that I know.

Q.—Of course you would know? A.—Oh, yes.

Q.—That did not happen? A.—No.

Q.—Do you know W. F. Nelson, an employee of Pillings and Company? A.—No.

Q.—Do you know any W. F. Nelson? A.—No.

Q.—I think you have perhaps made it clear, but I want to ask you if you got any commissions in connection with the sales of lands to the Mennonites? A.—No.

Q.—Did you arrange for any? A.—No, sir.

Q.—You never arranged for any? A.—Well, I mentioned about dickering or negotiating with these people, but it was not sold; they were not sales.

Q.—You negotiated for a division of the commissions on land which was being offered to the Mennonites? A.—Yes.

Q.—But the land which was actually sold to the Mennonites was not land on which you had arranged for the commission? A.—No.

MR. WEIR: Did you arrange for a commission on lands east of Olds if it had been sold?

A.—No; and yet I would answer that further in saying that probably I might have been given some.

Q.—You might have been in on that if it had gone through? A.—I do not say I had any direct, but I dare say if it did I might have been offered that.

MR. EWING: What land was that east of Olds?

MR. WEIR: The Baxter-Reid.

MR. EWING: What makes you think you might have had a division of the commission on that land? A.—Well, being friendly to them.

Q.—You had recommended this to the Mennonites, had you? A.—Yes.

Q.—That is what I wanted to get. You recommended the Baxter and Reid land? A.—Well, I was there to see it. It looked all right, but there was no very great consideration about it.

Q.—You recommended it to the delegates, did you, as good and proper land to buy? A.—Yes.

Q.—Well, then, had you had previous correspondence with Baxter and Reid or with any agents in connection with that? A.—No.

Q.—Or no agents in connection with it? A.—The Baxter and Reid people are living in the States somewhere, but I don't know.

Q.—Who are their agents here? A.—Well, somebody in Calgary—two or three different people.

Q.—Well, it was with them that you had your correspondence or arrangement? A.—The

Mennonite people had the description and they asked me if I knew where it was and I went with them.

Q.—And you had some arrangements then with the agents hadn't you? A.—Well, I knew the agents had it for sale. There was no regular arrangement.

Q.—You had no regular arrangement with the agents? A.—No.

Q.—Well, I do not mean a contract. But I mean you had some understanding that if this land went through—if the sale went through? A.—Well, I would just simply trust if they felt disposed to give me anything.

Q.—You thought you were entitled to some consideration? A.—Well, I thought that way.

Q.—But it did not go through and so you—— A.—No, it ended there.

Q.—Who were the agents of the Baxter and Reid people in Calgary to whom you refer? A.—Well, the one—I know two or three people who had it.

Q.—Well, give me the names of the three people? A.—Well, I heard Mr. Taylor; I think he gave a description.

MR. HOADLEY: What Taylor is that? Loughheed and Taylor? A.—No. I only know the names. The paper—they had had a memorandum or a map or something.

MR. WEIR: Where are they located?

A.—I do not know.

Q.—Do you know their office in Calgary? A.—I think it would be on Centre Street it seems to me.

Q.—You have been in their office, have you? A.—Well, I think it is along there somewhere on Centre Street.

MR. DAVIS: Is it between 8th and 9th on Centre Street?

A.—Yes.

MR. WEIR: Is it a firm name they have? It is not under the name of Taylor.

A.—I do not know that. But these folks had a memorandum that had been given them and they had a little map.

MR. EWING: Were you in Mr. Taylor's office at any time?

A.—Yes, I was in his office.

Q.—About this time? A.—Somewhere about this time.

Q.—Was it verbally or by letter you made the arrangements with Mr. Taylor for commission? A.—Verbally.

Q.—All your communications with Mr. Taylor with reference to commissions were verbal? A.—I think so.

Q.—I do not want to lead you into any difficulty, but are you sure that all your arrangements with Mr. Taylor were verbal? A.—Well, there might have been a letter.

Q.—There might have been some one letter? A.—Yes.

Q.—How many letters might there have been? A.—He might have written me to ask what they thought of it.

Q.—But that is his letter to you? A.—Yes.

Q.—I am speaking of your letters to him. A.—I might have replied to that letter.

Q.—Did you write more than one letter to Mr. Taylor in connection with the division of commissions? A.—No.

Q.—Are you sure about that? A.—I do not think it, not that I have any remembrance of.

Q.—Is your memory clear on that? A.—I think it is.

Q.—It is clear? A.—Yes; I do not want to make an improper statement.

Q.—Have you a recollection of having written one letter? A.—Yes.

Q.—One letter? A.—Yes.

Q.—Will a copy of that letter be on your files? A.—No.

Q.—Did you make a copy? A.—No.

Q.—Have you a recollection of writing a second letter? A.—Well, I would not be positive.

Q.—You might have written a second letter? A.—Yes.

Q.—Have you any memory in connection with that second letter at all? A.—No, I cannot recall it; I have no memory at all. I just say that for fear I might possibly have done but I do not know what particulars it might have been, or merely some information as to my opinion of the property or something of that kind. I would not say I did not, but I am quite positive—well, I would not want to nail myself down to saying I did not send a second letter.

Q.—Will you nail yourself down to the statement that you did not send a third letter? A.—Well, I don't think I did.

MR. BOYLE: If you have the letters would it not be better for you to produce them and ask him? The witness cannot be expected to remember all his correspondence. If you have the letters, just show them to him and ask him if he wrote them.

MR. WEIR: Supposing you have not got them and have seen them and cannot produce them, wouldn't it be fair to ask him if he remembers having written them? You see there is no trying to trip the man up. He is trying to tell the truth, I think.

MR. EWING: Well, you have no recollections of any letters written by you about commissions or what the rate was or anything, to Mr. Taylor?

A.—Well I cannot remember what the term was.

Q.—Well, didn't you ask for half the commission? A.—No.

Q.—Didn't you suggest—didn't you state in your letter that you would have a division of

the commission? A.—Well I don't know that I did. I think that if there is any suggestion about that it would be from the other party. I think that was it.

Q.—You think the other party. Did you agree to it? A.—Maybe I did, but it was not half the commission.

Q.—How much was it? A.—Well, I don't know it was specially money.

Q.—Wasn't this the arrangement, then, that half the commission that the agent got was to be paid by him either to you or to be divided between him and somebody else? A.—I might have had a portion of it or expectation of a portion of it.

Q.—Who was to get the other portion? A.—Well, if he had other helpers. But I mean to say perhaps there were more persons that he would have to give some to instead of to me.

Q.—Do you know of any other person? A.—No.

Q.—Was the arrangement that some of the portion of the commission that you got was to be divided with somebody else? A.—No.

Q.—I am not speaking of the portion that was by arrangement to come to you. I am speaking of the portion of the commission which was to come into your hands? A.—I would not expect any to come into my hands, only what they would give me.

Q.—Only what was coming to you? A.—Yes.

Q.—And what you say positively is that no portion of this commission which was arranged to come into your hands was to go to anybody else? A.—No, I was only to get what I would get for myself.

Q.—Mr. Taylor drove you out into the country to see some of these properties, didn't he? A.—Well, Mr. Taylor was with the delegates—the Mennonite delegates and I.

Q.—Mr. Taylor went out with you and the Mennonite delegates to inspect the Baxter and Reid land? A.—Yes, sir.

Q.—That is west of Olds, is it? A.—Yes.

Q.—And that was the land which you recommended to the Mennonites? A.—Yes.

Q.—And which they ultimately did not take? A.—No.

Q.—How many trips did you make with Mr. Taylor in connection with any land? A.—One.

Q.—That was just in connection with Baxter and Reid? A.—Yes.

Q.—Did Mr. Taylor go to Lethbridge at all in connection with the sale of lands? A.—Not to my knowledge.

Q.—You were not with him on any trips? A.—No, sir.

Q.—Did you make any trips with the delegates to inspect land when Mr. Taylor was not there? A.—No; no, I do not think so.

Q.—Eh? A.—No, I do not think so.

Q.—Mr. Taylor was only with you on one occasion? A.—Yes.

Q.—And you only made one trip to inspect lands? A.—Yes.

Q.—And that was the Baxter and Reid land? A.—Yes. You do not mean that is the only time I was with them—no.

Q.—I think perhaps I do not understand you or you do not understand me. It is clear you only went with Mr. Taylor once? A.—Yes.

Q.—Did anyone else in Mr. Taylor's office go with you at any time? A.—No, sir; no.

Q.—Then the only dealings you had with Mr. Taylor in connection with the sale of land for Mennonites was in connection with Baxter and Reid? A.—Yes.

Q.—You are sure about that, are you? A.—Yes. If he took them to see any other land he would take them himself.

Q.—But this was the only land you had any dealings with Mr. Taylor in connection with Baxter and Reid? A.—Yes.

Q.—Either in connection with the sale to the Mennonites or anybody else? A.—Yes. I had no transactions with any other parties other than the Mennonites. I want to make that clear.

Q.—Did you ever hear of a property called the Porcupine property—the Porcupine Ranch? A.—Well, I have heard it mentioned, but I have not had any connection with it. I do not know of any particulars about it.

Q.—You have just heard of a Porcupine Ranch? A.—I have heard the name of the ranch, but I am not familiar with it. I do not know where it is situated, in fact.

Q.—Did you ever write any letters offering or suggesting a division of commissions in connection with the sale of the Porcupine property? A.—No, sir.

Q.—Are you sure about that? A.—I have no knowledge of it.

Q.—You would have knowledge if you did, wouldn't you? A.—I think so. I have none that I know of.

MR. BOYLE: Would it not be better to mention the names of the parties he was supposed to write them to?

MR. EWING: I thought he understood that. Did you ever have any communication with Mr. Taylor in respect to the sale of the Porcupine Ranch and the division of commissions if it were sold?

A.—Not that I can recollect—no.

Q.—Well, you see, we do not know how good your recollection is in that connection. A.—Well I feel rather confident I have no knowledge. I cannot bring to my memory anything

referring to the Porcupine Ranch. I am sure, I do not think the Mennonite people mentioned, I do not think they referred to that in any way that I heard of.

Q.—Did you have any communication with them with respect to the sale of the Porcupine Ranch to anybody—Mennonites or otherwise? A.—No.

Q.—I am not dealing specially with the Mennonites, but I am dealing with the Porcupine Ranch. A.—No, not that I can recall it.

Q.—Do you think your files will show any correspondence in connection with the sale of the Porcupine Ranch with Mr. Taylor? A.—No, I know they would not.

Q.—Do you mean by that that if you had any such correspondence it would not be on file? A.—Well, as I said, I did not make a practice of keeping a file that way. I might write a letter to the man or answer his letter and that would be the end of it. A man might write me and say such and such a thing about a certain place or property and I might reply to him and that would be the last of it. I would not have any copy.

Q.—Do you mean to say you will carry on correspondence in connection with your Department? A.—Oh, excuse me; that would not be in regard to my Department at all. That would be a private matter entirely.

Q.—Do you mean to say when you were going out endeavouring to effect locations of Mennonites that that was a private matter? A.—Well, no, it would be Departmental matter, but in regard to the unfortunate mistake which I alluded to and which I feel very, very sorry that I made the mistake—I know you take my word for it.

Q.—I take your word for it. A.—That was on the side. I would count that part, whatever dealing was there, improper as it was, was entirely outside the Department and I was transgressing the rules of the Department, I feel ashamed to say it, but it is true and that would not be and I would not be keeping files of that, and I would not have it.

Q.—This private correspondence you had—did you do that on the official Departmental paper? A.—Well, as a rule, when I was at some hotel I would use the paper at the table, out of the drawer at the hotel. But if I was maybe in my home, or maybe if I was scribbling off a line on the railway I would take it out of my satchel and that would be the paper from the Department. It would not be with any thought—I want to clear that up because I think maybe you are asking that with a purpose, I just want to make the point clear that I would not avoid using it on the paper of the Department intentionally, nor I would not use it on the Department's paper to make any effect or to carry any weight; the intention would just be casual. I would use it—if I was at the hotel I would take out the drawer and use the hotel paper and I think I would do more on that than using Department paper.

Q.—Because it was your own business. It was business on the side? A.—Yes. I do not want to dispute the matter of your question, but I had no particular purpose.

Q.—You followed no set policy in that direction? A.—No.

Q.—You might use the Department paper and you might not? A.—Yes.

Q.—You say you had dealings with two or three agents with reference to dividing commissions and you have mentioned only one—Mr. Taylor. Who is another one? A.—Farleigh and Connor I think the firm's name is, or Connor and Farleigh, at Calgary. They submitted a proposal to the Mennonites.

Q.—And did you see them? A.—Yes, sir.

Q.—In their office? A.—Yes.

Q.—And what proposal did they make? Or who first made the proposal? A.—Well, Mr. Spalding, who I have known since I came to Alberta, 15 years or more back. I knew him back here in Wetaskiwin and Daysland and other points, earlier.

Q.—And was Mr. Spalding connected with Farleigh and Connor? A.—He was not a member of their firm, but he was acquainted with me. I was not acquainted with them.

Q.—Where did you meet Mr. Spalding? A.—At the Yale Hotel. I met him on the street in Calgary just casually.

Q.—Was he with you in Connor and Farleigh's office? A.—Yes, as I say, he told me—in fact I was introduced by him to them. I knew him very well, intimately.

Q.—Let me understand. Mr. Spalding introduces you to Farleigh and Connor? A.—Yes.

Q.—He having known you previously? A.—I knew him as an old acquaintance.

Q.—Did you know whether he had any connection with Farleigh and Connor? A.—Well, not as a member of their firm, but he told me that they had some land that he thought would be suitable for these Mennonites—they had a special piece of property that would be suitable and he asked me to go with him to them and see what they had to tell me about it and what the proposal was about these lands, to see if they would be suitable, and they had a piece.

Q.—You accompanied him to Farleigh and Connor's office? A.—Yes.

Q.—And what took place there? A.—Well, they discussed the question that this parcel of land seemed to be quite a fair-sized parcel and wanted to know my opinion and I said I thought it was suitable for these people.

Q.—What land was it? A.—It was known as the Judson farm.

Q.—Where? A.—Somewhere east. I should judge it was about 25 miles east of Nobleford, maybe 15 or 20 miles north of Taber.

Q.—Did you know the land yourself? A.—No.

Q.—They just gave you a description of it? A.—Yes.

Q.—And from the description you thought it might be suitable for the Mennonites? A.—

Yes. It had one particular thing which they always wanted to get if they could—alongside of a river, and there was a large frontage of this particular property alongside the river.

Q.—And for that reason? A.—They kept a good deal of stock and they wanted a great deal of water and it seemed to be suitable for them.

Q.—And what arrangements did you make? A.—And there was quite a large proportion of it cultivated. It was ready for immediate use.

Q.—And you understood the price? A.—Yes, sir.

Q.—And the price was reasonable? A.—Yes, sir.

Q.—And the location was reasonable? A.—Yes, sir, I thought it was below its value—I did.

Q.—And therefore you could recommend it to the Mennonites? A.—Yes, I could. I could sell it to my brother or own family conscientiously. I thought it was the best property that I heard of that season according to price.

Q.—And you did recommend it to the Mennonites? A.—I did, sir.

Q.—And what arrangements had you with Farleigh and Connor with reference to commission?

A.—Well, they were willing to give me a fair share of the commission if that was sold.

Q.—Was not the exact amount discussed? A.—Well, that was in a certain way. You see, Mr. Ewing, Spalding would get part of that and—

Q.—And they would get part of it and you would get part of it? A.—Yes.

Q.—What part was each to get? A.—About 25 per cent.

Q.—And the usual arrangements would be made as in transactions in real estate of that kind? Farleigh and Connor would get half? A.—I presume they would.

Q.—And Spalding would get a quarter? A.—And I would get the other quarter—yes.

Q.—That sale did not go through? A.—No, sir.

Q.—Do you know why? A.—Well, I do. I rather believe I do. I think the inspection that they made at the first was rather favourable, but that was just at the time the seeding was being done.

Q.—Were you there at the time of the inspection? A.—Yes.

Q.—And who was with you? A.—Well, the delegates.

Q.—Was Mr. Spalding with you? A.—No.

Q.—Was a representative of the Farleigh Company there? A.—Yes, two of them, Mr. Rowan and Mr. Connor. Mr. Rowan was the working man of that firm; he had got the particulars of it.

Q.—And Mr. Rowan and Mr. Connor accompanied you to inspect the land? A.—Yes, and the delegates looked through it and they were fairly well impressed with it. At that period it was just the seeding time and things looked rather favourable. But as it proceeded later in the season and they had their other friends come to make further investigations they were alarmed at the dry weather conditions and the grass was short and brown and dried up and they shied away and they had a great many people giving it a bad reputation in that district on account of the shortage of crop on account of the drouth.

Q.—And on that account the sale did not go through? A.—No.

MR. DAVIS: What Rowan was that?

A.—W. H. Rowan.

MR. EWING: There is more than one Rowan?

A.—Yes, but "W. H." I know his initials.

Q.—You reported all your activities to head office here. You reported what you were doing?

A.—Yes, but I did not report that I was down there with a view to getting any commission.

Q.—But all your other activities were known? A.—Yes.

Q.—Did Mr. Hotchkiss send you out on these trips or did you go on your own volition?

A.—Well mostly he told me at certain times to go. But there is somewhat of an explanation. You see, I would visit the Calgary office because there was a labour bureau there and I was superintending the work of the bureaus.

Q.—Who was head of that? A.—I was last year. And there was one also in Lethbridge. Perhaps that ought to be known because perhaps you would think I was going there on purpose for the Mennonite—

Q.—No, we will not draw any inferences. A.—And there was also a bureau at Medicine Hat. And so my duties were frequently at Calgary or Medicine Hat or Lethbridge and I was on the way and helping to organize the labour work, but if I met with any of these people at Calgary and I went out for half a day I think it would not be under the direction of the office; it would be just taking a run out.

Q.—But when you went out on an important occasion that would be under the direction of Mr. Hotchkiss? A.—Yes, in the first early beginning. But, as I say, later on I was not very much with them.

Q.—What was the other firm with whom you had arrangements? You have mentioned Farleigh and Connor and Mr. Taylor? A.—Well, that is the only one that I had any—

MR. HOADLEY: Do you know what Mr. Taylor's initials are?

A.—Well, Mr. Taylor is about the only—

Q.—It is suggested he ought to be identified because Taylor is a somewhat common name and it might be easily misapplied. What was his occupation? A.—Well, I think he sells lands mostly.

Q.—Has he so far as you know any official position in the Government? A.—No, not that

I know. I believe he handles seeds to farm people. I think I noticed that in the window or even on his counter that he had some sacks of seeds.

Q.—He sold seeds? A.—Yes, I think so.

MR. DAVIS: Where is his office, or has he an office?

A.—Well, I saw him there where the seeds were in that place, up from 9th Avenue; it is up towards 8th Avenue.

Q.—On Centre Street? A.—Yes, sir.

Q.—On the right hand side? A.—Yes, sir.

MR. EWING: Is he the Mr. Taylor who was the late ranch inspector?

A.—Well, he may have been.

Q.—But do you know that? A.—Well not for sure, but I rather think he might be; I don't know.

Q.—You just think he might be? A.—Yes; I was not acquainted with him very much.

Q.—And all you know is he is a Mr. Taylor? A.—Yes, and that is where I saw him.

Q.—Is he doing business in his own name or on behalf of somebody else? A.—Well, I could not say. It may be some of these people have a firm name or some title or something that way that they call business or something, but I don't know what it is.

Q.—You cannot recall? A.—No.

Q.—You mentioned two or three at the beginning with whom you had been doing business?

A.—Mr. Taylor and Farleigh and Connor.

Q.—Just those two firms? A.—Yes.

Q.—You mentioned the name of Mr. Rowan as a person who accompanied you down to the Judson Ranch? A.—Yes, sir.

Q.—Do you know—when was this that Mr. Rowan went with you down to the Judson Ranch? A.—Between the 20th and 25th of April, I believe.

Q.—1918? A.—Yes.

Q.—Was he in business for himself at that time as a real estate man? A.—Well he was at this place.

Q.—How did Mr. Rowan come to be there? A.—He was with Connor and Farleigh. He was the land man as I understand it.

Q.—I would like to get the name of that firm correctly. I first had it Farleigh and Connor. What is the correct name of it? A.—Well now, Farleigh I think it is and Connor.

Q.—And Mr. Rowan was with that firm at that time? A.—He was at that place and took charge of the showing of some land. Whether he was a member of the firm I do not know.

Q.—Well, apart from the occasion when you went to see the Judson farm, have you ever had any other transactions with Mr. Rowan? A.—No.

Q.—No correspondence with him? A.—No.

Q.—And you have never done any business at all, before or since, with Mr. Rowan? A.—No.

Q.—Or Rowan and Company—any concern in which Rowan is interested? A.—No.

Q.—How many tracts of land did you recommend to the Mennonites for purchase? You have told us the one—Baxter and Reid, west of Olds. You have told us the Judson down east of Nobleford. A.—Yes.

Q.—What other tracts did you recommend to the Mennonites for purchase? A.—Well, those were the chief things. The others were from other parties.

Q.—Were those the only two that you recommended? A.—Yes, particularly; I mean to take any interest in.

Q.—Would you recommend any that you did not take any interest in? A.—Well, anything they were looking at, for instance the C.P.R. land; I had my opinions about that, of course. But I think you have reference to my being connected with in the sales?

Q.—I mean in your official capacity did you recommend any other lands to them? A.—No. We were principally inspecting the C.P.R. lands.

Q.—Did you recommend the C.P.R. lands? A.—In a way—yes; if they took irrigated and part non-irrigable, I told them that would be a good proposition.

Q.—Would that be before or after they had inspected the Baxter and Reid and Judson ranches? A.—Before.

Q.—Had you seen the C.P.R. about it at all? A.—No.

Q.—Was a representative of the C.P.R. there? A.—Yes; they handle that themselves.

Q.—You did not make any suggestions to them about it? A.—No.

Q.—You told me you were Assistant Publicity Commissioner? A.—That is what I was generally known as. That is, assisting in any general, for instance—you want the particulars?

Q.—No, I want to get your official title. A.—If I had any title it would be that.

Q.—Didn't you have some other titles besides that? Wasn't there a change made in your title during your tenure of office? A.—No, sir.

Q.—Were you always Assistant Publicity Commissioner? A.—Yes, sir.

Q.—Didn't you become Publicity Agent at one time? A.—Well, that would be the same purpose.

Q.—You consider that the same thing, do you? A.—Yes.

Q.—That is Assistant Publicity Commissioner or Publicity Agent?

A.—Yes, in going out and travelling the province. I visited seven or eight of the States. I have been in Illinois, Iowa, North Dakota, South Dakota and Kansas, and I have been distribu-

ting literature to people. I may be a little immodest, but I think I may say with some credit to myself that in the years 1911, 1912, 1913 and 1914 particularly I take credit of helping to bring a great many thousand people into the province and helped to distribute them; I worked very faithfully in that regard and in those years I think a great many of the large rush of immigration to Western Canada took place in a general way. But I did a good share so far as Alberta was concerned and I think my reputation would bear that out in Winnipeg and other places—not always with lands. Now I would not like this blight to fall on me to think that my whole mind's attention has been on some land selling; that has been the exception and not the rule. The homesteading, in the earlier years and up to the present has been my chief work—visiting these places and showing the resources of the country and its good features and helping bring people in and bringing them through. And I am just saying this to show you—you asked me to define what my duties were.

Q.—I did not, but go ahead.

A.—I have been engaged more directly, I don't know whether you might call it Commissioner—that is neither here nor there—or whether you would say Publicity Agent or just ordinary agent; I was not looking for titles. Therefore, it was to work with a view to bringing more people, more capital and more production. And there is another thing that might be said right here, not that I want to justify it. As I said in the beginning, I was not trying to justify this case. But last year there was one of the greatest propagandas for production and we had, and it was necessary need for greater man power, more production and more labour. And I tell you, when I saw these bands of men or streams of men in these colonies—they were big husky hard-working fellows and had produced such good crops, had had such prosperity with their grain, their cattle, their hogs and their sheep, and I do not want to say it in their favour to praise them up, but they did say to me, "If you have need of men to go on your lands, we are willing to go; all the men are not necessary for military service in the United States." And we did put them on the farms, and some of them did their duty until they were taken to go to the drafts.

Q.—You are not speaking of the Mennonites?

A.—Yes, I am speaking of the Mennonites. They told me, and I had evidence of it then when they were drafted to go to camps in the United States, they went. And they said: "When our men go up there and they are asked to go on farms there must be a condition that if they get notice from the Militia or the Military they must leave." In every case when they were called they went away promptly. Now I had to do with another thing that came into these duties—one thing comes along, you see—by giving them a certificate they could have got a reduced rate, I could have done that by saying: "These people want to return to the United States and they have come up here to do farm labour," and I never saw a single case in which they hesitated or tried to shelter or hide. If they had or I had seen anything of that kind I would not have had much encouragement to do anything for them. I want to say this, they took whatever work there was for them to do. I think I should mention that because that was part of my duties.

Q.—You think you were doing a patriotic duty?

A.—In a sense I was doing my duty. And I want to clear up another thing, if I am not unduly craving any privilege of the Committee. There were one or two things said and it hurt me a little. I am not so very sensitive—a man ten years in the public service usually gets a little over it, he gets too thick skinned being in the humble position I was in or a superior one. It was circulated in certain parts of the province that I was rather encouraging the alien enemy, bringing in undesirable people and I was not showing a very good spirit on behalf of our province and I don't know whether it went quite so far, but it might be insinuated that I was doing something improper and against our interests and our allies and our own people. Now I can stand on my feet and say it and say it in any capacity and any place that it could not be charged to me when six members of my own connection and family were in France, overseas; two were lying in the hospital severely wounded when these people were in this country looking for this land. I had a son-in-law that had been an old member of the Grenadiers in Toronto and he was taking a special course and was training men all last spring and summer in the camps—a good trainer. I had another of my family, a new nephew, that was exempted in the spring to go in November, and he had farming operations and prepared to go and I had two grandsons of the age of 19 and they went up and registered to go. That makes nine directly connected with my own home family. I mean to say that it would not be credible that I would have any inclination to do anything different. But that was an insinuation and it was brought to me that someone was saying it against me to try to do me harm. And I think perhaps I might say this—I am not a man of large means and I have not had, as anyone would agree, a large salary that would worry anyone in times when there is the high cost of living. But my wife and myself and my daughters and my family have made it a point to contribute \$200 per year since the first of the war. That is small, but I did it till we felt it—and that touched me because I had nothing to do with these people, over whom there was a great deal of difference and dispute and strife. I was sorry that was reported and that I was encouraging them and truckling with them. I did not see any evidence that they were pro-German in any sense or any particular way. In fact, they can read English, they can take up the English papers and in every instance where they read there were gains of the Allies they rejoiced in it—in every case. The oldest of these men were born in Russia. They are ten generations removed from German.

Q.—Are they Omish?

A.—Yes; they are Baptist, and the bulk of them were born in the United States, fairly good,

ordinary, average intelligent men. They write their letters in English, which is creditable to ordinary average citizens. And I did not see a thing that would lead me to hesitate to do a single thing that I was doing, different. I am saying this because I think I ought to.

MR. HOADLEY: You do not feel ashamed of having brought them into the country?

A.—No. I may add that none of us might agree with all the habits they have, but I am speaking of them in the main—by and large.

MR. EWING: If I should say to you that these people were men who sold all that they grew and what they could not sell they fed to their hogs and what their hogs would not eat they ate themselves, you would say that is not in line with your—

A.—Well, I will tell you, though of course I do not want to and I do not know why I should define anything on that. My opinion is—I was not with them in their private life very much and I cannot speak for them—but I observed they fed their cattle and their hogs well, anyway.

MR. CAMPBELL: Have you ever eaten in their homes?

A.—Yes. Whether they gave me anything extra because I was special company, I do not know.

MR. EWING: Have you a sheet of your official letterheads here? A.—No.

Q.—What kind is it? A.—Well, it is just the ordinary letterhead. It is just "Department of Agriculture."

Q.—Isn't there something on it besides "Department of Agriculture"? A.—No.

MR. WEIR: Do not some of them have the names of the officials on? A.—No.

MR. EWING: Has there been any change made in the letterheads of your Department since you first took charge? A.—No, not that I know of.

Q.—In the letterheads that you use has there been any change since you took charge? A.—Well, while I was in Winnipeg my address at Winnipeg would be there, but it would be the same Departmental paper, only my name would be on it and the address.

Q.—That is what I want to get at. Your name was on it? A.—In Winnipeg, but not here. That is going back two or three years.

Q.—That is where I want to go back. And what were you described on that paper as? A.—Assistant Publicity Commissioner, I think was on it.

Q.—Are you sure about that? A.—Maybe nothing on it. I do not know whether it was even mentioned.

Q.—Well, do you remember or are you just speculating? A.—Well, I am trying to say what it was. But if you would ask me—if you would have anything definite to say I could tell you.

Q.—Your name was on it—R. J. Daly? A.—Yes.

Q.—And "Assistant Publicity Commissioner"? A.—I think so.

Q.—Well, are you sure? A.—It would either be "Publicity Commissioner" or "Assistant Publicity Commissioner" or "Bureau."

Q.—Would it be "Publicity Agent"? A.—No, I do not think those words were printed.

Q.—Was the word "Assistant" on it? That is what I want to get? A.—Well, I would not be too sure about that; I do not think so.

Q.—It might have been? A.—But I am not sure.

Q.—You think it would not, eh? A.—Well, I don't know what it was. I would not be positive. I do not know what it was.

Q.—It was probably "Publicity Agent" wasn't it or "Publicity Commissioner"? A.—Yes.

Q.—There was no assistant business about it while you were in Winnipeg? A.—I understood it was so.

Q.—I am speaking now of your letter? A.—Yes. I want to put one other thing in my duties—one thing leads to another. Now, the exhibitions and showing the grains and grasses and visiting such exhibitions as Toronto and places like that. I was in charge of gathering the material for that and taking it to the exhibitions and putting them up and superintending them, and that would be in the month of September and the Fall of the year; that would come in part of my work, which takes up a couple of months of the year—a busy time.

MR. BOYLE: Did you do anything like that in the United States?

A.—I did make one or two visits there but not very often.

Q.—How did you get in touch with these Mennonites, in the first place? A.—Why, we had letters asking for maps and literature and things.

Q.—Letters to whom? A.—Mr. Hotchkiss here and asking about the climate of the country.

Q.—How did you come to first meet them?

A.—I was, as I say, I was down in South Dakota looking after labour and the man that was there as an agent looking after them in their trips here asked me, as they were thinking of coming here, to go and see them. And I might say that he accompanied them. He told me and explained the whole matter, that he was with their delegates and he accompanied them to Ottawa to learn of the way or particulars in regard to their coming into the country—whether or not they had any objection or whether there would be any hindrance and he showed me letters or papers and things that they had received at Ottawa from the Council of the Cabinet or members of the Department there and he said they had taken particular pains to learn whether or not under a certain Act away back in 1873 or 1874, something like that, that they would be eligible, so to speak, to come in here. And he said that they had the assurance that in regard to that it had been looked up and there was no objection or hindrance, that they would have a right under this special Act relating to the Mennonites who came from Russia, to come here. Part of these people had

settled in Manitoba in the first instance, and had gone to South Dakota and they wanted to know their status and they went as a delegation to Ottawa and he accompanied them. And he found that they had no hindrance or anything to stand in the way.

MR. EWING: Who accompanied them?

A.—Mr. Scott. Then he said: "To show you that these people want to do what is the right thing they also sent a delegation to Washington and they met Mr. Baker there and other members of the Government of the United States, and laid the matter before them to see if they had any serious objection to them removing from the United States to Canada." So he said they had not.

MR. BOYLE: Is that Mr. Michael Scott, of Winnipeg?

A.—Yes. And I may add that excepting this, if they were eligible to the military service they would of course have to put in their service, but as citizens or to move or sell their land or come here as other people emigrating, they did not intend to stop them any more than there would be others. So I just mention that.

Q.—Now, the letters they had from Ottawa—to what effect were they? A.—Well, the copies I have—the copies of what they had—he gave me a copy.

Q.—Will you produce them? A.—Yes (producing papers).

MR. WEIR: Where did these people come from?

A.—South Dakota or Kansas, South Dakota.

Q.—Did any come from Kansas as far as you know? A.—No.

MR. BOYLE: Perhaps you had better read these letters yourself?

(Witness reads letters as follows):

"Ottawa, Ont., February 5th, 1918.

"To W. W. Cory, Esq.,

"Deputy Minister of the Interior,

"Ottawa, Ont.

"Dear Sir:

"Following our meeting of yesterday when I called on you with D. Hofer, J. Kleinsasser and E. Walter, representing the Hutterian Brethren of South Dakota, I write to put in a more formal way the purpose of our visit.

"These people emigrated from Russia from 1874 to 1879 and differ from the Manitoba Mennonites in that they adhere strictly to the community life, owning all things in common. Their community comprises 18 colonies, 16 in South Dakota and 2 in Montana. Personal property consists of 1,200 horses, 6,000 cattle and 12,000 sheep. They have also 8 flour and grist mills.

"A community of 14 families settled near Dominion City, Manitoba, in 1899, and lived there till 1905, when they sold out and returned to Dakota.

"They now desire to return to Canada and settle in one of the Western Provinces, and ask of your Government:

"1. That they be exempted from military service of any kind, combatant or non-combatant, and in this respect be extended all the privileges granted to Mennonites now here;

"2. Freedom to follow their community life.

"It is their intention to establish one colony this spring, others to follow as soon as their land in South Dakota can be conveniently disposed of.

"They ask that no mention be made to the press of their visit here as this might rather embarrass them in making disposition of their lands at home.

"Yours very truly,

In reply this letter was received:

"OFFICE OF THE DEPUTY MINISTER OF THE INTERIOR

"Ottawa, 7th February, 1918.

"Dear Mr. Scott,

"I beg to confirm my telegram to you of this date, which reads as follows:

"Subject to production of certificate of membership from proper authorities of community and subject to convention between Governments of Canada and the United States with regard to military service, Department would guarantee exemption from Canadian Military Service. Agreeable also to granting of requests as to community life and holding of property in common, but matter is one of provincial control. Do not anticipate slightest difficulty in connection with either request made by you. Letter following."

"I may explain that an understanding is being arrived at between the Government of Canada and that of the United States under which it will be possible to enforce the return to the United States of persons who under the laws of that country are subject to Military Service but who may have moved to Canada. In the same way, Canadians who have moved to the United States may be compelled to return to this country if they are subject to Military Service.

"The other points mentioned in my telegram had reference to the question of community life. I may say, that insofar as this Department is concerned, there would be no objection to the proposed communities following their ordinary modes of life once they established themselves in the West, but this is really a matter of provincial control, as it relates entirely to municipal laws and administration, such as the levying of taxes, the maintenance of roads, etc. Under

"the circumstances, I have thought that you might possibly deem it advisable to discuss this matter with the provincial authorities as soon as you have an opportunity to do so.

"Yours very truly,

"W. W. CORY."

"OFFICE OF THE DEPUTY MINISTER OF THE INTERIOR

"Ottawa, 3rd April, 1918.

"Dear Mr. Scott:

"In Mr. Cory's absence I am in receipt of your lettergram of the 1st instant which reads as follows:

" 'Hutterian delegates due here on 7th instant for extended trip through country requested

" 'me to obtain for them copy of synopsis of convention between Canada and United States

" 'concerning military service and also extract of minutes referred to in your telegram to

" 'me of February 7th. Please mail.'

"In reply, I am sending you copies of the documents relating to the exemption of Mennonites from Military Service and in this connection would emphasize that we can promise exemption from Military Service only in so far as the Canadian army is concerned. We cannot exempt a man from service in the American army provided he is eligible for service there.

"We have got no copy of the convention or treaty between Canada and the United States relative to Military Service.

Yours very truly,

"Acting Deputy Minister."

"Michael Scott, Esq.,

"P.O. Box 1736, Winnipeg, Manitoba."

(Copy)

"PRIVY COUNCIL
"CANADA

"P.C. 957

August 13, 1873.

"The Committee of Council have had under consideration the annexed memorandum dated July 28th, 1873, from the Minister of Agriculture stating that he made an arrangement with certain delegates from the Mennonites in South Russia, in view of their formal announcement to him of their intention to settle together with Mennonite Colonists whom they represent in the Province of Manitoba and submitting for Your Excellency's approval the terms of the said agreement as set forth in the said annexed memorandum.

"Your Committee advise that the arrangements so made be sanctioned."

(Copy)

"REPORT OF THE MINISTER OF AGRICULTURE
"FOR THE CALENDAR YEAR 1873

"To His Excellency the Right Honourable Sir Frederick Temple, Earl of Dufferin, Viscount and Baron Clandeboye, in the County of Down, in the Peerage of the United Kingdom, Baron Dufferin and Clandeboye, of Balyleidy and Lilleleagh, in the County of Down, in the Peerage of Ireland, and a Baronet, Knight of the Most Illustrious Order of Saint Patrick, and Knight Commander of the Most Honourable Order of the Bath, Governor-General of Canada and Governor and Commander-in-Chief in and over the Island of Prince Edward.

"May it please Your Excellency:

"I have the honour to submit the Report of the Department of Agriculture for the calendar year 1873

"It may be remarked that four delegates from the German Mennonite Province of Berdiansk, in South Russia, visited this country during the summer of 1873, for the purpose of ascertaining the suitability of a field for Mennonite settlement, and the terms which they could obtain from the Government of the Dominion.

"As this immigration of German Mennonites to Canada promises to become a question of importance, it may be well to give some particulars respecting the causes of the movement. The German Mennonites of Russia are said to have left Prussia, their former country, on account of religious objections held by them to military service. They settled in Russia on a promise made to them by the Czar that they should be exempt from such service, be allowed to educate their children in their own schools in the German language, and suffered to make use of affirmation instead of oath in courts of justice.

"Their present number is estimated to be from 50,000 to 80,000 souls.

"The portion of country inhabited by them is situated on the Sea of Azof, on the 47th parallel of latitude. The climate is pretty severe, the mean temperature of the winter being similar to that of the borders of the Baltic at the mouth of the Vistula. The soil is described in Russian documents as belonging to the class called tcherrwzeme, or terrae noire (black earth) in some parts of which sand and clay are found separated and mixed. Official returns represent that part of Russia as being of good average fertility, but almost entirely deprived of wood.

"In the same document, the mode of cultivation is said to belong to the class which is styled in Russia 'La culture libre des Steppes,' that is, not subjected to any systematic rotation of crops.

"The Mennonites, besides raising sheep and other animals, appear to be large producers of grain, the surplus of which is exported through the ports of the Black Sea.

"The cause of the new projected exodus is again the question of military service from which the Czar now refuses to exempt them. It is also coupled with a question of schools, a new ukase requiring that their children should be instructed in the Russian language, and made to submit to regulations respecting the tuition to which they cannot in conscience consent.

"The first intimation made to the Canadian Government of the proposed emigration from Russia was contained in a despatch (No. 51) dated the 7th March, 1872, from the Right Hon. the Secretary of State for the Colonies. The despatch had reference to letters from Mr. Zerabs, Her Majesty's Consul at Berdiansk, and from leading Mennonites, enquiring whether, if these people emigrated to Canada, they would be allowed exemption from military service, and from the ordinary form of oath; asking moreover what advantages they might calculate upon in the way of land grants.

"In pursuance of an Order-in-Council dated April 26th, 1872, favourable answers were returned to the enquiries of the Mennonites and delegates from among themselves were invited to visit Canada, the Department of Agriculture undertaking to defray the expense of such visit.

"During the summer of 1872 Mr. Hespeler then Emigration Agent in Germany, was instructed to visit Berdiansk and he spent some time among the Mennonites assuring them of the goodwill of the Canadian Government, and of its desire to accept them as settlers upon the condition of securing to them the privileges they demanded.

"Difficulties however arose from the fact that, although the Russian Government has given liberty to these people to leave Russia, provided they do so before the year 1883, it is still averse to the interference of agents, either inviting them to emigrate or directing their emigration, or to allow any specific means of transport to be applied to such emigration by any foreign power or agency.

"Since Mr. Hespeler's visit to Russia, somewhat impeded by these difficulties, every effort has been made which could be made to invite the Mennonites to settle in Canada. This country was visited by their delegates in 1872 and again in 1873. The delegates in 1872 were accompanied in their visit through the country by Mr. Shantz, one of their religious brethren settled in Ontario, and the delegates of 1873 were also accompanied by Mr. Shantz and Mr. Hespeler.

"Upon their selecting the Province of Manitoba as one of the parts of America in which they intended to settle, an order-in-council was passed on the 3rd March, 1873, setting apart eight townships in the southeast part of the province for their occupation, the land being given free on the condition of settlement.

"The advantages accorded to the Mennonites were communicated to their delegates and the Government thus became pledged to them.

"The obligations contracted toward these people, as enumerated in the letter to the Mennonite delegates, under date of July 26th, 1873, are:

- "1. Entire exemption from military service;
- "2. A free land grant in Manitoba;
- "3. The privilege of religious schools of their own;
- "4. The privilege of affirming instead of making oaths in courts;
- "5. The passenger warrants, from Hamburg to Fort Garry for the sum of \$30.00 per adult, \$15.00 for children under eight years, and for children under one year, \$3.00;
- "6. These prices are not to be changed during the years 1874, 1875 and 1876, and if changed afterwards not to exceed \$40.00 up to the year 1882;
- "7. The emigrants to be provided with provisions during their journey between Liverpool and Collingwood.

"There is no certainty as to the number of Mennonites who may be expected to come in 1874. The estimates from various sources range between 50 and 700 families."

(Copy)

"SECRET."

"The undersigned has the honour to report that he has made an arrangement with the following-named delegates from the Mennonites settled in South Russia in view of their announcement to him in their joint letter of the 23rd of July instant, of their intention to settle, together with the Mennonite Colonists, whom they represent in the Province of Manitoba:

"David Klassen, delegate of Henbodon Colony;

"Jacob Peters, delegate of Bergthar Colony;

"Heinrich Wiebe, delegate of Bergthar Colony;

"Cornelius Tows, delegate of Grienfield Colony.

"The arrangement made is to the following effect:

"1. That an entire exemption from any military service as is provided by law and order-in-council will be granted to the denomination of Christians called 'Mennonites.'

"2. That eight townships will be reserved under the order-in-council passed on the 3rd March last, in the Province of Manitoba for free grants, on the condition of settlement as is provided in the Dominion Lands Act, that is to say, 'Any person who is the head of a family, or has attained the age of 21 years, shall be entitled to be entered for one quarter-section or a less quantity of unappropriated Dominion lands for the purpose of securing a homestead right in respect thereof.'

"3. The said reserve of eight townships is to be for the exclusive use of the Mennonite settlers, and the free grants of one quarter-section to consist of 160 acres as provided by the Act.

"4. That should the Mennonite settlement extend beyond the eight townships set aside by the order-in-council of the 3rd March last, other townships shall be reserved to meet the full requirements of Mennonite immigration.

"5. If next spring the Mennonite settlers on viewing the eight townships set aside for their use should prefer to exchange them for any other eight townships, such exchange will be allowed.

"6. That in addition to the free grant of one quarter-section to every person over 21 years of age, on condition of settlement, the right to purchase the remaining three-quarters of the section at one dollar per acre is granted, as provided by law, so as to complete the whole section.

"7. That the Mennonite settler will receive a patent for a free grant after three years' residence in accordance with the terms of the Dominion Lands Act.

"8. That in the event of the death of the settler, the lawful heirs can claim the patent for the free grant, upon proof that the settlement duties for three years have been performed.

"9. That from the moment of occupation the settlers acquire a 'homestead right' in the land.

"10. That the Mennonites will have the fullest privilege of exercising their religious principles and educating their children in schools as provided by law, without any kind of molestation or restriction whatever.

"11. That they will have the privilege of affirming instead of making affidavit, as is provided by law.

"12. That the Dominion of Canada will undertake to furnish Passenger Warrants from Hamburg to Fort Garry for Mennonite families of good character for the sum of \$30.00 for every person over the age of eight years, half price or \$15.00 for persons under the age of eight years, and for infants under one year, \$3.00.

"13. That the arrangement as to price shall not be changed during the season of 1874, 1875 and 1876.

"14. That if such arrangement is changed after the year 1876, the price shall not, subject to the approval of Parliament, for a period to extend to the year 1882 exceed \$40.00 per adult and for children in proportion.

"15. That the immigrants shall be provided with provision during the portion of the journey between Liverpool and Collingwood.

"He respectfully recommends that the arrangement as hereinbefore recited with the Mennonite delegation be concurred in.

"The whole is respectfully submitted,

"(Signed) J. H. POPE,
"Minister of Agriculture."

"Department of Agriculture,
"Ottawa, 28th July, 1873."

(Copy)

"Ref. 187, 924 on 3129 (No. 1)

"CERTIFIED COPY OF A REPORT OF A COMMITTEE ON THE HONOURABLE
"THE PRIVY COUNCIL, approved by His Excellency the Governor-General-in-Council
"on the 25th September, 1872.

"The Committee of Council have had under consideration a despatch from the Right Honourable the Secretary of State for the Colonies, dated August 23rd ultimo, covering a letter from Mr. Zahrebs, Her Majesty's Consul at Berdiansk, dated July 26th last, and a letter from Mr. Cornelius Jansen, of Berdiansk, dated June last, addressed to Your Excellency.

"The Hon. the Minister of Agriculture, to whom the above despatch and enclosures were referred, reports that it is expedient to give the German Mennonites in Russia the fullest assurances of absolute immunity from military service if they settle in Canada.

"That a sub-section of Section 17, of the Act 31 Victoria, Chapter 40, is as follows:

"Any person bearing a certificate from the Society of Quakers, Mennonites or Tunkers, or any inhabitant of Canada of any religious denomination, otherwise subject to military duty, but who, from the doctrines of his religion, is averse to bearing arms and refuses personal military service shall be exempt from such service when ballotted in time of peace, or war, upon such conditions and under such regulations as the Governor-in-Council may, from time to time, prescribe."

"That under this section all the persons above mentioned and the Mennonites are expressly included, are absolutely free and exempted by the law of Canada, from military duty or service, either in time of peace or war.

"That the Governor-General in Council cannot prescribe any conditions or regulations under which, under any circumstances, the persons referred to in the above quoted section can be compelled to render any military service.

"That the intention of the Act in conferring upon the Governor-General in Council the power of making conditions and regulations was to enable the Government to provide if necessary, for the regulations of exempted persons in such manner as to prevent persons belonging to any other denominations than those specified in the section of the Act above quoted from avoiding military duty under false pretences.

"That the Constitution does not confer upon the Governor-General in Council any power

"to over-ride or set aside, under any circumstances, the plain meaning of statute law, and he recommends that this explanation be conveyed to the Mennonites in Russia.

"The Committee concur in the foregoing report, and advise that a copy of this Minute be transmitted to your Excellency to the Earl of Kimberley.

"(Signed) JOHN J. McGEE,
"Clerk, Privy Council."

"Ref. 9243.

"Copy of a Report of a Committee of the Honourable the Privy Council, approved by His Honour the Deputy of His Excellency the Governor-General in Council, on the 27th August, 1877.

"On a memorandum dated the 8th August, 1877, from the Honourable the Minister of the Interior, reporting that certain Mennonite settlers in Manitoba, having fulfilled the conditions under which they homesteaded lands in the province, have applied to have their respective grants confirmed to them, but not having taken the steps required by law to become naturalized, the applicants are not, by the provisions of the Dominion Lands Act, eligible to receive patents for their lands.

"That Section 33 of the Dominion Lands Act reads as follows, that is to say:

"The homestead settler having 'resided on and cultivated the land for three years, 'next following the filing of the affidavit for entry.....shall be 'entitled to a patent for the land, provided such claimant is the subject of Her Majesty 'by birth or naturalization.'

"That the Alien Law, 31 Vic. Cap. 66, requires a person becoming naturalized to take the oath of allegiance.

"That the agent of Dominion Lands reports that the Mennonites hesitate to take the oath of allegiance from the fear that the doing so will render them liable to military service, to which they are opposed, the same being contrary to the doctrines of their religion.

"That as regards liability to perform military service, the order-in-council of the 25th of September, 1872, gave the Mennonites in Russia the 'fullest assurance of absolute immunity 'if they settled in Canada,' and the Minister of Justice expresses the opinion that the taking of the oath of allegiance by the settlers of that class in Canada is not inconsistent therewith—in other words, that such Act, which is necessary in order to enable them to receive patents, will not be construed as interfering with the immunity from military service secured to them as above, and the Minister of the Interior recommends that the Agent of Dominion Lands, through Mr. Hespeler, Immigration Agent, Manitoba, is authorized to inform the Mennonites accordingly.

"The Committee submit the foregoing regulations for approval.

"Certified.

"(Signed) W. A. HIMSWORTH,
C. P. C."

"To The Honourable,

"The Minister of the Interior, etc., etc., etc."

(Copy)

"Ref. 88, 416 on 58, 764 (Immigration)

"Extract from a Report of the Committee of the Honourable the Privy Council, approved by 'His Excellency on the 12th August, 1899.

"P.C. No. 1676.

"On a Report dated 12th of July, 1899, from the Minister of the Interior, stating that arrangements have now been completed with the representatives of the 'Brethren of the Hutterische Society' in South Dakota, on behalf of those who have already settled in Canada and those who may agree to. It was represented to the delegates who visited this country last summer by the Commissioner of Immigration that if they decided to settle in Manitoba or the North-West Territories, the Government would no doubt be favourable to granting immunity from military service in accordance with their religious tenets.

"The Minister further states that fifty-two have already settled at Dominion City, Manitoba, having bought land to the value of about \$20,000.00, and if the assurance held out to the delegates in this connection is fulfilled, shall succeed before long in securing the balance of them who are amongst the wealthiest farmers in Dakota.

"The Minister is of opinion, under the circumstances and considering that the Brethren of the Hutterische Society would appear to be a most desirable class of settlers to locate upon vacant Dominion lands in Manitoba and the North-West Territories, that it is expedient to give them the fullest assurance of absolute immunity from military service, not only to those who have already settled but also to those who may settle in the future.

"The Minister submits that sub-section 3 of Section 21 of the Militia Act, Chapter 41 of the Revised Statutes of Canada contains the following provisions:—

"Every person bearing a certificate from the Society of Quakers, Mennonites or Tunkers, and every inhabitant of Canada of any religious denomination, otherwise subject to military duty, who from the doctrines of his religion is averse to bearing arms, and refuses personal military service, shall be exempt from such service when ballotted in time of peace or war

“upon such conditions and under such regulations as the Governor in Council, from time to time prescribes.”

“The Minister recommends, therefore, that under the power vested in your Excellency in Council by the above provision, the Brethren of the Hutterische Society settling permanently in Canada shall be exempt unconditionally, from service in the Militia upon the production in each case of a certificate of membership from the proper authorities of their community.

“The Committee submit the foregoing for Your Excellency’s approval.

“(Signed)

JOHN J. McGEE,
“Clerk of the Privy Council.”

WITNESS (continuing): The other matter that is here is a copy of the business that was done under the Act of 1873, showing what privileges—

MR. BOYLE: Have you got that telegram? Wasn’t there a letter from the Department of Justice?

A.—I don’t know.

Q.—And wasn’t there a letter from the Militia Department?

MR. EWING: In Scott’s letter, Scott referred to the fact that it had been referred to the Militia Department. I think that is what you have in mind?

MR. BOYLE: Yes.

MR. EWING: But there would be no record, I suppose, here of that?

MR. CAMPBELL: Where did you get all these copies?

A.—Mr. Scott gave them to me.

MR. BOYLE: When did you see these people next?

A.—When they came up to go out to see—

Q.—Came up where? A.—To Alberta.

Q.—Did you have any communication or discussion with Dominion officials about these people coming in? A.—No, nothing in particular—no.

Q.—You did not see them again until they came up here? A.—No, sir.

MR. WEIR: How did you get into touch with them? Did you go to see them or they come to see you?

A.—They came up here.

MR. BOYLE: You were for a considerable length of time in Winnipeg? A.—Yes, sir.

Q.—Weren’t you practically Immigration Agent there? A.—Yes,—well, there is no Immigration Department.

Q.—But you were doing the immigration work? A.—Yes.

Q.—You were travelling in the United States? A.—Yes.

Q.—You were carrying on a Publicity propaganda? A.—Yes.

Q.—You told my learned friend from West Edmonton that you had been working during one of the years—1917 or 1918, I am not sure which—in the United States, getting labour? A.—Yes.

Q.—What year was that? A.—In three years—1916.

Q.—You left the impression on my mind you were confining your attention entirely to Mennonites. A.—Oh, no.

Q.—You were working at getting any kind of labour? A.—All that was suitable and cheap.

Q.—What kind of labour? A.—Farm labour.

MR. WEIR: Capable farm labour?

A.—Yes, experienced farm labour.

MR. BOYLE: You were not confining yourself to any particular class of people?

A.—Oh, no.

Q.—You were taking what you thought were good labourers—getting them up here? A.—Yes, sir. I might just say that I was dubbed or termed the recruiting agent for the Alberta Government in the States of North and South Dakota and Minnesota, because I think hundreds and hundreds of the young men I had handpicked were put in uniform three months afterwards.

Q.—I suppose one of your duties was to get men to come to Alberta? A.—Yes.

Q.—You mentioned that Mr. Hotchkiss knew what you were doing with respect to the Mennonites? A.—Yes, he knew I went out with them to show them some certain places.

Q.—He knew you went out to show them around? A.—Yes, as I did others.

Q.—Did he have any particular knowledge all the time from time to time as to what class of people you were bringing into the country? A.—That is at any other time?

Q.—Well, from time to time. A.—Oh, yes.

Q.—How did he get that information? A.—By me telling him or if they came here to his Department he would put me in charge of them.

Q.—Hotchkiss was the Chief Publicity Commissioner here? A.—Yes, sir.

Q.—Now, did Hotchkiss know anything about your arrangements about getting commissions? A.—No, sir; no, sir.

Q.—You did not tell him anything about it? A.—No, sir.

Q.—I suppose all that Hotchkiss knew was that you were showing these people around the country? A.—Yes, sir.

Q.—Who accompanied these men through the country besides you? Who was this Mr.

Scott? A.—Well, the man that I mentioned; he was the man that has been connected with them more or less for twenty years and has been doing business for them.

Q.—Was he the only man who came with them? A.—He was their guide and assistant; he did business for them for a period of fifteen or twenty years—a confidential agent—and sold their lands and collected moneys for them and invested moneys for them.

Q.—Did any person connected with the Department know that you were getting commissions from these people? A.—No, sir, they did not.

Q.—Or that you had any arrangements or were trying to get commission? A.—No, sir.

Q.—You cannot identify this Mr. Taylor in Calgary any closer than you have mentioned? A.—No, sir.

Q.—You cannot remember his initials? A.—Well, Mr. Taylor is what I have in mind. I do not pretend to say what would be his name, but I know that he—well I could not say—no, I do not remember now.

MR. McCALLUM: What were these seeds? Did they appear to be packages for sale, or samples that you would have in a Publicity Commissioner's office or real estate office? A.—No, more for sale and interchange of farm seeds to farmers purchasing oats and wheat in quantities.

MR. BOYLE: Did you have any arrangement with Mr. Scott or anyone else on behalf of the Mennonites themselves to get commissions?

A.—No, sir.

Committee adjourns till 10 a.m. February 19, 1919.

WEDNESDAY, FEBRUARY 19, 1919. COMMITTEE RESUMES AT 10 A.M.

MR. CRAWFORD: Before Mr. Perrie is examined I would like to find out when we may expect the documents asked for at the first meeting.

THE CHAIRMAN: They are all in the hands of the Assistant to the Clerk of the House, Mr. Andison.

JOHN PERRIE, called and sworn, testified as follows: (Examined by Mr. Crawford)

Q.—You are Minister of the Municipal Department of this Government? A.—No, Deputy Minister.

Q.—How long have you occupied that position? A.—Since December, 1912.

Q.—Was that the time that Department was organized? A.—Yes.

Q.—And as Deputy Minister of that Department from the time of organization you would have a complete knowledge of the details of the workings of the various branches of the Department? That is, the organizing of the Department would be under your supervision? A.—To a certain extent.

Q.—And you would have a knowledge of the details of the workings of the various branches within that Department? A.—Yes.

Q.—And of course you would have a knowledge of the various systems of bookkeeping in connection with the various branches of that Department? A.—Yes.

Q.—You would also be familiar with the personnel of the officials, clean through the Department, would you not? A.—Yes.

Q.—And you would be familiar with the efficiency or inefficiency, as it were, of any official within that Department? A.—Yes.

Q.—Now, Mr. Perrie, with regard to appointments to various positions in the Department: who makes these appointments? Is that done by the Minister or Deputy Minister? A.—No, the Minister.

Q.—The Deputy Minister has nothing to do with that? A.—No.

Q.—Would you as Deputy Minister have anything to do with regard to recommendations for any positions in the Department? A.—No.

Q.—That has always been done by the Minister. Then, coming to dismissals. What would you say with regard to that? I understand by a return laid on the table of the House yesterday, in a period during 1918, from January up to about the 5th of August, there were some 31 dismissals and some 45 new appointments in that Department. When I say dismissals perhaps I am not correct in that, but I mean employees who left the Department either voluntarily or were dismissed. In the case of dismissals, who would have charge of that? A.—Well, I have nothing to do with that.

Q.—You had nothing to do with dismissals? A.—No.

Q.—Would you make recommendations to the Minister with regard to dismissals? A.—I might; I might be consulted.

Q.—Can you recall any instances in which you made recommendations during 1918 for the dismissal of any Departmental employees? Could you name any? A.—I do not know that I could offhand. I may have done so.

Q.—Do you know whether or not any other official of the Department has anything to do with dismissals, outside of the Minister? A.—I do not know.

Q.—Not to your knowledge? A.—No.

Q.—You know as a matter of fact that there were several dismissals during 1918? It was common talk through the Department—throughout the buildings, was it not? A.—A number of men retired.

Q.—There was comment on it through the buildings was there not? A.—There may have been.

Q.—Now with regard to dismissals, what is the custom of the Department? For instance, if they want to dismiss a man, do they give him certain notice or do they give him pay in lieu of notice? What is the practice? A.—Sometimes one and sometimes the other.

Q.—Do you know any officials or employees of the Department who were dismissed and given salary in lieu of notice? A.—That has been done sometimes.

Q.—That has been done? A.—Yes.

Q.—You have knowledge of that? A.—Yes.

Q.—What salary would be given in lieu of notice—one month, two months, three months? A.—Well, that depends. There may be holidays coming to him and that sort of thing.

Q.—What is the practice of the Department with regard to holidays? Do all employees of the Department get holidays? A.—That is provided for in The Public Service Act.

Q.—And how is that arranged? What time of the year as a rule? A.—It is made to agree with the work.

Q.—It is arranged, I presume, almost every month in the year there are employees taking holidays, are there? A.—It is arranged so as to interfere with the work as little as possible.

Q.—What months? A.—Usually in the summer.

Q.—When did you have your own holidays last year—1918? A.—I had leave of absence from the 1st of May to the 1st of September.

Q.—Now, Mr. Perrie, when you came back again after your leave of absence for these few months, had there been many changes in the personnel of the Department within that time? A.—Quite a number.

Q.—You were a little surprised, were you not, to find the number of changes that had been made in that time? A.—No, I cannot say that I was.

Q.—Was there nothing unusual about the number? I asked for that return to be brought in here, and it will be brought in in a few minutes I presume. Thirty-one left the employ of that Department from January on until the 5th of August. Is not that an unusually large number? A.—We have had quite a number in other years as well.

Q.—Would you say as many as that? A.—Not as many. The staff has been growing and the work growing in the meantime, but in proportion, as many, I think.

Q.—Your staff is larger now than it has been in previous years? A.—Yes.

Q.—But you did not see anything unusual or you were not surprised when you returned after your leave of absence to find the number that had been let out in that time? A.—No.

Q.—I suppose you could recall the names of those who left the Department in that time, could you? If you had a list before you you could recall? A.—Oh, yes, I know those that have been put on and those that have left.

Q.—Now can you tell us the reason for so many changes within that period? In your judgment, was it because of inefficiency that the changes were made necessary? A.—In some cases.

Q.—Would you say in all cases? A.—In a great many cases the men left and went to other work.

Q.—Would you be prepared to say that there were dismissals made of employees who in your opinion were efficient? A.—No, I do not think so.

Q.—Another question: There were employees left the Department in that period who had been in the employ of the Government and in the employ of that Department for a number of years? There had been employees left who had been in the employ of the Government for eight or nine or ten years? A.—Yes.

Q.—And one would naturally presume that a man in the employ of the Government for ten years would be efficient or he would not be kept that long? Isn't that a fact? If you kept a man in your Department for ten or eleven years, it would be an admission of his efficiency, would it not? You would not keep him if he was not efficient? I will give you some names in a few minutes. That is just a general question. If a man was an employee of a Department for ten years you would consider him an efficient servant, would you not? A.—I do not dismiss.

Q.—I understand that. That is not answering the question. Would you as Deputy Minister keep an employee in your Department for ten years if he was not efficient?

MR. MACKAY: That is hardly fair. He has said he does not dismiss.

MR. CRAWFORD: Would you make a complaint to the Minister with regard to a man you considered was not efficient? A.—Yes.

Q.—Did you ever do that? A.—I have done so.

Q.—Now then, you had a Mr. A. E. Young in your Department. What position did he hold? A.—Wild Land Tax Commissioner.

Q.—Is he still in the employ of the Department? A.—No.

Q.—When did he leave? A.—About a year ago last March or April, something like that.

Q.—Did he leave of his own accord or was he dismissed? A.—He resigned.

Q.—You are sure of that? A.—I received his resignation.

Q.—Would you be prepared to say that his resignation was not asked for? Do you know as a matter of fact whether it was or not? A.—I do not know. It was not to my knowledge.

Q.—Not to your knowledge. You had in your employ a man by the name of Thomas Jones. What position did he occupy? A.—A clerk.

Q.—He left the employ of the Government, did he not? A.—Yes.

Q.—Was he dismissed? A.—He was retired by Order-in-Council.

Q.—On whose recommendation? A.—The recommendations are made by the Minister of the Department.

Q.—Did you have anything to do with recommending that to the Minister or suggesting that he should be retired? A.—No. I will put it this way—that I was asked about his ability. It was not of a very high order.

Q.—How long had he been employed then? A.—Two or three years. I cannot remember exactly.

Q.—And it took that long to satisfy the Department that he was not efficient, I presume. As a matter of fact, Mr. Perrie, do you know if any official of the Department suggested to the Minister that Mr. Jones should be dismissed? You say you did not do it? You did not make the suggestion that he should be dismissed? A.—I do not remember of having. But in dealing with the different members of the staff I know I made that report about ability.

Q.—Have you any knowledge of the higher up officials in the Department having anything to do with the dismissals of any man at any time? A.—No.

Q.—Now let me refer to another employee. Harry Denton, what was his position? A.—A clerk.

Q.—Do you remember when he left the employ of the Department? A.—Not exactly, but last year some time.

Q.—And you recall another clerk in the person of D. B. Mail. How long was he in the employ of the Department before he left? A.—Two or three years; I do not remember exactly.

Q.—And how long was Mr. Denton? A.—He was not very long, a year or two at the most.

Q.—These four names, Mr. Young, Mr. Jones, Mr. Denton and Mr. Mail, they were all dismissed because of inefficiency, you would say?

MR. MACKAY: He did not say that. He said one was retired by Order-in-Council.

A.—I said Mr. Young resigned.

MR. CRAWFORD: But you said Mr. Jones was retired by Order-in-Council because of inefficiency? A.—I understood that.

Q.—The reason of his dismissal was his ability was not of a very high order. Would that apply to the other three? A.—Mr. Young was not dismissed.

Q.—I think you said you did not know whether his resignation was asked for or not. A man could be told that he was going to be dismissed and he could easily hand in his resignation. You say you had not any knowledge with regard to that, so we will have to get that information from some other source. But take the other two, Denton and Mail—would the same answer apply to them as to Thomas Jones, that their efficiency was not of a high order? A.—Yes, it might apply.

Q.—And those men were all in the employ of that Department for upwards of three years, from two to three years? A.—I do not remember exactly about Denton. He was not there very long.

Q.—Now as a matter of fact, Mr. Lamb came into that Department at what time? A.—February, I think, of last year, February or March.

Q.—Do you know whether Mr. Lamb had anything to do with the suggesting of the dismissals of any of these persons whose names I have mentioned? A.—I do not know.

Q.—Was that current rumor about the Department? A.—I have never heard that.

Q.—Were those men under him after he came in there and took office? A.—To a certain extent.

Q.—They were under him? A.—To a certain extent.

Q.—And you would not be prepared to say whether they were asked to resign by Mr. Lamb? A.—I do not think they were. I have no knowledge at all. I would be very much surprised if such was the case.

Q.—Now let me refer to another official—Mr. A. B. McKenzie. Do you recall him? A.—Yes.

Q.—How long was he in the employ of the Department? A.—A number of years.

Q.—How many? A.—Five or six years, probably more.

Q.—Did he resign of his own accord? A.—He was retired by Order-in-Council.

Q.—His resignation was asked for? A.—No, not that I know of.

Q.—You say he was retired by Order-in-Council? A.—Yes.

Q.—Do you know for what reason? A.—I was not told for what reason—No.

Q.—And you had a Miss Dickson, a stenographer. She was retired about the same time. Was that by Order-in-Council? A.—Yes.

Q.—And you had a Mr. E. A. Lawrence. Was he retired by Order-in-Council? A.—Yes.

Q.—How long was Mr. Lawrence in the employ of the Department? A.—Nine or ten years.

Q.—Do you know the reasons that these people were dismissed by Order-in-Council—McKenzie, Miss Dickson and Lawrence—these three? A.—No, I cannot say that I know. I know what my own advice or recommendations were in the matter.

Q.—The Minister discussed that with you before the Order-in-Council was passed? A.—Yes.

Q.—And what have you got to say with regard to Mr. McKenzie? He was an assessor, I understand? A.—Yes.

Q.—Under the Wild Lands? A.—No.

Q.—Under what? A.—Under General Assessment—Local Improvement and Education.

Q.—And he had been in the employ of the Department a number of years? A.—Yes.

Q.—Was his work satisfactory? A.—Not very.

Q.—When was that discovered? A.—It would be gradually growing worse.

Q.—From year to year? A.—Yes.

MR. MACKAY: Mr. Crawford thinks a man in six years cannot go wrong.

MR. EWING: Not with this man.

MR. MCKAY: No, a gradual decline. You have to come to the jumping off spot some place.

MR. CRAWFORD: What about Mr. Lawrence; he was in the employ eleven years, was he not? Would you say he was dismissed for the same reason—inefficiency?

A.—As far as I was concerned I recommended against him.

Q.—You recommended against him being dismissed? A.—Against him being retained in the service.

Q.—What would you say as to his efficiency or inefficiency? A.—He was not very efficient.

Q.—When was that discovered? A.—It would work out along the same lines as McKenzie.

Q.—Well, all these people—Young, Jones, Denton, Mail, McKenzie, Miss Dickson and Lawrence—they practically all went out for the same reasons, inefficiency? A.—Not Mr. Young.

Q.—But the others? A.—As far as I had anything to say.

Q.—Mr. Perrie, will you tell me whether or not, notwithstanding what you say about this inefficiency, if any of these employees who left were given letters as to their efficiency? A.—I gave some of them letters along certain lines.

Q.—To whom did you give letters? A.—I gave one to Lawrence and one to Miss Dickson and one to Mail, and I do not know whether I gave any others or not.

Q.—Did you give letters to any others whose names I have not mentioned? There were some thirty-one let out during a very short period? A.—Well, I do not remember. I may have done so. I may have given one or two letters.

Q.—Did these people ask you for letters? A.—Yes.

Q.—And you gave them letters as to their efficiency? You gave them letters that would enable them to get a position elsewhere? A.—Not necessarily. I gave them letters. They were of value along certain lines, and I gave them letters as well as I could on their behalf.

Q.—And what was the nature of those letters, generally? A.—Well it would be different in different cases. Take for example the case of Miss Dickson; I could say that she was a very hard worker, but not an efficient stenographer.

MR. CAMPBELL: Is that what you did give?

A.—Yes.

MR. CRAWFORD: You gave these people letters that would leave the impression, if they went to procure employment elsewhere, that their work was satisfactory? A.—No.

Q.—You are satisfied on that, are you? A.—Yes. I gave them what I knew to be the good points only.

Q.—They had some good points; you are willing to admit that? A.—Every person has that.

Q.—Can you recall any of the officials of the Department who were dismissed at any time during 1918 and who were taken back again? A.—Any who left were retired, and some came back.

Q.—What do you mean by “left”? Dismissed by Order-in-Council or resigned? A.—Whether they resigned or no matter how they left, they were retired by Order-in-Council.

Q.—And some came back again? A.—One or two I think.

Q.—Do you recall any instances where any who were dismissed were getting a little bit noisy, doing a little too much talking, and for some reason or other unknown to you they were taken back again? A.—No, I have no knowledge of it.

Q.—You know as a matter of fact that there were some who came back again? A.—There were one or two.

Q.—Could you name some of them? A.—There was Mr. Baril and Mr. Shaw. There may have been some others, but without the list before me I could not remember.

Q.—Would that apply to Mr. A. K. Whiston? A.—No, he did not come back. He was transferred to another Department.

Q.—Was he transferred or was he dismissed and then went to another Department? A.—He was transferred as far as I know.

Q.—You are sure about that? A.—That is all the knowledge I have of the matter.

Q.—But you would not be positive on that point? A.—Well I know of no order going through retiring him until he was transferred to the other Department.

MR. MACKAY: The order will show. If he is retired, he was retired, and if he was transferred he was transferred.

MR. CRAWFORD: What would you say as to his efficiency? A.—He was fairly efficient.

Q.—And then there was another employee—E. Thiroux. Was he dismissed or did he leave the employ? A.—He was not dismissed that I know of.

Q.—Did he leave the employ of the Department at any time and then come back again? A.—He was off on military duty.

Q.—And what about Mr. E. E. Lessier. Was he in the employ of the Department at one time? A.—Oh, yes.

Q.—When did he leave the Department? A.—Oh, less than a year ago—April.

Q.—What were his duties? A.—He was working as a clerk I think.

Q.—In what branch? A.—In the general office. I think he was working as a clerk in the general office. He had been on some Wild Land Tax work.

Q.—And his work would be inside work, would it? A.—Some of the time. He had been on outside work part of the time.

Q.—At what time was he on outside work? A.—Oh, I could not give you that from memory at all.

Q.—If the vouchers of his travelling expenses were produced, of course that would bring that to your recollection, wouldn't it? Now Mr. Lessier is not in the employ of the Department now. What happened to him? A.—He was retired by Order-in-Council.

Q.—At his own request, I presume? A.—I do not know about that.

Q.—You have no knowledge of whether his resignation was asked for or not? A.—No.

Q.—Now I would like to refer to the Public Accounts for 1917 for a few minutes. And I want you to refer to the Wild Lands Branch; 1917 Public Accounts show an expenditure under the Wild Lands Branch of \$37,410, of which \$16,024 is made up in salaries, and travelling expenses \$21,338 and sundries \$48. Now in the travelling expenses under the Wild Lands Tax Branch—I want to get at the actual cost of the administration of the Wild Lands Branch. Take for instance the travelling expenses, take the first item—A. Briere, \$1,619. When these accounts are presented do they come under your supervision? A.—The vouchers?

Q.—Yes, the vouchers—the expense accounts? A.—Usually.

Q.—And these expense accounts of these officials are O.K.d by yourself before they pass on to the Auditor, are they? A.—Not always—usually.

Q.—If they were not O.K.d by you, by whom would they be O.K.d?

A.—By the Acting Deputy Minister or probably by the Minister.

Q.—But they would all pass through your hands so that you would have a knowledge of all these expenditures, whether you actually O.K.d the accounts or not? A.—Not necessarily. They might pass direct. If I was absent, the Acting Deputy Minister would deal with them, and if the Minister dealt with them he might send them direct to the parties dealing with them.

Q.—Has the Acting Deputy Minister power by Order-in-Council to deal with these accounts, do you know? A.—Yes.

Q.—And these vouchers are all examined. These accounts are all O.K.d by the Deputy Minister, the Assistant Deputy Minister or the Minister himself? Is it customary for the Minister himself to peruse over the details of these accounts and pass them, generally speaking? A.—Not generally.

Q.—In exceptional cases it is? A.—Sometimes.

Q.—Now has it been customary for you to refer some of these vouchers to the Minister? A.—Yes, sometimes.

Q.—That is, there were accounts at times that you would not assume responsibility for O.K.ing them? A.—Accounts where I did not know of the work being done—had not given the instructions.

Q.—I would like to refer back to that again for a moment or two. With regard to instructions, and I refer now to the Wild Lands Branch, the travelling expenses exclusively. Is it customary for three or four different officials of the Department to give instructions, in sending out assessors, we will say? Would you give instructions to some, the Assistant give instructions to others and the Minister himself give instructions to other? A.—Might at different times.

Q.—That is the practice of the Department? I would think it would be rather difficult for three or four doing that work to just keep tab on things and know exactly what you were at?

MR. HOADLEY: I take it you did not make the statement it is usual? It might be done, but it is not usual?

A.—It might be.

Q.—But it is not usual? A.—Not usual.

MR. CRAWFORD: Generally speaking, you pass on these items of expenditure yourself and in exceptional cases they go to the Minister? A.—As a rule, yes, most of them. In accounts that come before me, if I have no knowledge of that man having got instructions to make the trip or whatever it is, I would take it up with the person who had given those instructions before I would pass the account.

Q.—And in some cases you would not pass the account at all but it would be passed by the Minister or the Assistant Deputy Minister? A.—No, if I was there I would deal with it in some way after getting the information.

Q.—Are you prepared to say that in these travelling expenses in 1917, that you O.K.d all these accounts yourself, either in the first place or after discussing the matter with the Minister? A.—No, I do not know that I O.K.d all of them.

Q.—As a matter of fact, are there not accounts there that you refused to O.K. in 1917, when pay-cheques were held up for some little time and there was some little dissatisfaction over it and then were O.K.d by the Minister afterwards? Have you any knowledge of that? A.—I have no knowledge of refusing to O.K. a voucher finally. I have refused temporarily until I got information.

Q.—Well I take it from that, then, that you would O.K. all vouchers? A.—If I received the necessary information to satisfy me that they had been sent out by some person having authority to send them out.

Q.—You would consult with the Minister with regard to that? A.—Yes, if they had been sent out by him.

Q.—And after that, in 1917, did you O.K. all vouchers? A.—He may have O.K.d some; I do not remember.

Q.—As a matter of fact did he not O.K. quite a number that you would not have anything to do with? A.—He might have O.K.d quite a number. I don't know the reason.

Q.—And they might have been held up for some little time in the Minister's absence and were not O.K.d until he returned and O.K.d them himself. You discuss the matter with the Minister and after discussing the matter with the Minister then you did not O.K. them but he O.K.d them himself? A.—I have no recollection of any case where I discussed vouchers with the Minister and where he told me that these men worked under his instructions and that was in order, where I refused to sign the vouchers.

Q.—That is not just the question. There are vouchers in these Wild Lands Tax expenditures for 1917 which were O.K.d by the Minister when they were passed on from you, and you refused to O.K. them and they were afterwards O.K.d by the Minister? A.—There are some vouchers that were O.K.d by the Minister. I do not know whether they were Wild Lands Tax vouchers or not. That happens; the Minister O.K.s certain vouchers. That is a matter of practice.

Q.—Let us take this first item. A. E. Young, twelve months' salary as Wild Lands Tax Commissioner. Was his work inside work or outside work? A.—Inside.

Q.—And there would be no travelling expenses charged up to him at all? A.—No.

Q.—Take the next one; Briere, twelve months' salary as assessor, salary \$1,200 and his travelling expenses are shown as \$1,619.81. What time of the year is the season contained under that Wild Lands Tax Branch? A.—Usually in the summer; starting as early as possible in the spring.

Q.—Is it done about the same time in each year? A.—As nearly as possible.

Q.—And what is the system with regard to distributing the assessors throughout the province? A.—The province is divided into districts.

Q.—Who regulates that? A.—That is the work of the Wild Lands Tax Commissioner.

Q.—He lays out the districts and assigns the various assessors to the different districts? A.—Yes.

Q.—Has he complete charge of that or is he under the direction of some official higher up? A.—Well he is subject to those over him.

Q.—Does he consult with yourself with regard to the matter before sending these men out or assigning them their territory? A.—Usually.

Q.—And you would be prepared to say that during the year 1917 that you assigned the territory to the different assessors as shown by the vouchers here? A.—That I assigned the different territory, no I would not.

Q.—The Commissioner would consult with you with regard to that? A.—Usually.

Q.—And he would not do anything without the sanction of either yourself or the Minister? A.—No.

Q.—Would you be prepared to say, then, that these different assessors were assigned their various territories under or by your suggesting after advising with him? A.—No; it is largely a matter of approval of his suggestion.

Q.—Did you approve of his suggestions in connection with this matter? A.—The districts of 1917?

Q.—Of 1917? A.—As far as I remember.

Q.—And the Minister himself would have nothing to do with regard to that? A.—Yes, certainly.

Q.—That would be submitted to the Minister, too? A.—As well—yes.

Q.—So that eventually he was the high authority on the—— A.—Certainly.

Q.—So that as a matter of fact, then, these men were really distributed on the approval of the Minister? A.—Certainly.

Q.—Now I mentioned the first assessor—Briere. He was employed for twelve months. His was all outside work? A.—Most of it.

Q.—And he would be travelling twelve months in the year? A.—A good part of the time.

Q.—What is the practice of the Department with advances for expenses? A.—It is customary to allow them.

Q.—What is the usual amount by way of advance? A.—That depends on how long they are going to be away and what their work is. It would vary from \$50 to \$150.

Q.—And do they account for that before a further advance is made? A.—Yes.

Q.—When these expenditures are made, they present to you their account on this form, I presume; that is the form they all use? A.—Yes.

Q.—And is there attached to that form a receipt for the various expenditures covering the items of that? That is, they pay out \$10 to John Jones for livery and some person else for some other item, and a receipt is attached to that voucher, is it? A.—For certain expenditures they are required to get a receipt and those receipts are attached.

Q.—Now we have a voucher here for \$227.50 by Adolph Briere for expenses in January, 1917; in February 23rd; January 22nd to 31st; and then from 1st February to the 23rd and the only receipt attached showing how that \$227.50 is made up is one receipt for \$5.00. trip from Vegreville to Lafond, 40 miles. I suppose that would be by stage would it not, J. M. Spencer? He has paid

out \$227.50 and he turns in a voucher with one receipt for \$5.00 attached to it and the account is O.K.d and passed on in that form. Is that correct? A.—That is correct. His expenses are covered. That will give the details. It is not all for money paid out. It is living expenses.

Q. (reading voucher): Here is livery expenses for team for 29 days at \$5.00 a day, \$145. That is quite a large item is it not? A.—Well we allow that rate for the use of his own team.

MR. PEARSON: By whom was it O.K.d?

A.—By the Deputy. That is my signature.

MR. CAMPBELL: Was that his own team?

A.—He was allowed a rate of \$5.00 a day for the team and he had to furnish it himself.

MR. MACKAY: That is by Order-in-Council? A.—Yes.

Q.—You would not expect a voucher for what is allowed by Order-in-Council? A.—No. The subsistence allowance is all covered by Order-in-Council.

MR. CRAWFORD: It is interesting to know what is being done by Orders-in-Council.

MR. MACKAY: The orders are all on file and can be produced at any time and will speak for themselves.

MR. CRAWFORD: Where a man supplies his own team does he put in the bill for the whole month or just the time he is using the team? A.—So much a day for each day.

Q.—He works Sundays, too, doesn't he? A.—Sometimes.

Q.—What check have you got on this man that he actually had a team for 29 days that he was up there? A.—He certifies that that is correct.

Q.—He certifies. A.—Yes.

Q.—Would it not be better if that man would bring down a receipt signed by the liveryman who drove him as having received \$145 for 29 days? There is nothing to prevent that man from going up there and driving that team for one day and coming in and presenting that bill? A.—There might not be anything to prevent the liveryman from giving him a bill for the same amount.

Q.—There might not be. But that is aside from the question. That man charges up for 29 days, the time he is away.

MR. MACKAY: Is that his own team?

A.—He is allowed that to get his own team. He probably hired a team or bought a team—I don't know what he did—but he was allowed \$5.00 a day for the use of a team.

Q.—There is nothing to indicate whether it was his own team or whether he hired a team for livery at Lafond? A.—He was allowed by Order-in-Council the sum of \$5.00 a day to procure a team for himself during the time he was away.

Q.—But you have no knowledge of the number of days he actually used a team outside the statement that he puts in? A.—We have his certificate to that effect.

Q.—And that is the complete return on which the voucher is passed? A.—Yes.

Q.—Now where does this man Briere live, at Lafond? A.—He is dead.

Q.—He did live there? A.—Part of the time.

Q.—And he was paid a salary of \$100 a month for twelve months in the year? A.—Well, I do not know the exact days, but that is the rate at which he was paid.

Q.—Now I want to make this very clear. A. Briere, twelve months' salary as assessor, \$1,200. There is no doubt about that. He would be paid for twelve months? A.—Yes.

Q.—I would like to check up this return and see what time he was actually out with his team. January 20th he made a trip from Vegreville to Lafond. January 23rd, subsistence 31 days. That would be for the month of January, I presume, and livery expenses. This voucher covers the period up to January 23rd. Now we will take this next voucher. February 24th to February 28th. That covers the month of February. March 1st to 19th. In March he is allowed 22 days livery at \$5.00 per day and he is allowed \$2.50 for subsistence expense, 23 days \$57.50. And there are no receipts attached to this voucher at all covering those expenditures; that is covered by Order-in-Council? A.—Yes.

Q.—That is up to March the 20th. Those two vouchers. Now this next voucher—March 21st and 22nd. It gives the places where he visited during the balance of the month and in April, and team, 11 days, March 21st to April 29th, \$265. He gets his allowance straight through that period again by Order-in-Council, \$5.00 a day for his team. Then this next voucher, April 30th and to the 26th of May; he is allowed \$5.00 a day for his team again—\$125. And 25 days' subsistence allowance at \$2.50 a day, \$62.50. There are no receipts to this; this is all covered by Order-in-Council, \$187.50. That covers till May the 26th. Now this jumps from May 26th until August 1st, subsistence \$77.50; July 7th, then we have again team for thirty days from May 28th to July 1st, \$150. The balance of the voucher shows the territory which he covered during that time and there are no vouchers attached. That is all covered by Order-in-Council, \$227.50? A.—Yes.

Q.—Then the next voucher covers nineteen days' subsistence—July 9th to 31st, \$47.00 and nineteen days with team at \$5.00 a day, \$95.00, \$142.50; that is all covered by Order-in-Council. Now we come to the next voucher, August 1st, subsistence nine days, \$22.50; team, six days at \$5.00 per day, \$30.00; and then there are a few other items covering stamps and the stage fare from Vegreville to Edmonton and Vegreville to St. Paul, \$92.66. There are no vouchers for the \$22.50 and the \$30.00 which is supposed to be covered by Order-in-Council. That brings us up to August the 18th. Now then there does not appear to be anything from August 18th until September 14th. Yes, from the 18th of August until September 14th there is no record in these vouchers as to what Mr. Briere was doing at that time. And then from September 14th to Oc-

tober 26th we have \$95.00 for subsistence and \$170.00, \$5.00 a day for team. That, together with the fare from Vegreville to Lafond and from Lafond to Vegreville again makes a total of \$274.00, and the only vouchers attached are for \$9.00. The other, you say, is covered by Order-in-Council. Now then, that last voucher was October 25th. This was from October 28th; covers a period till November the 1st, a total of \$35.65, and that includes subsistence allowance at \$2.50 a day. Now that practically covers the work that Mr. Briere has done. So with the exception of about 40 or 45 days, according to these vouchers, Mr. Briere has been paid \$5.00 a day for his team the balance of the year, and the Department have absolutely no check on that with the exception of the vouchers which he signs as being correct? Is that not a fact?

A.—His certified account.

Q.—You have his certified account? A.—Yes.

Q.—And outside of that you have no knowledge, you have no other way of verifying whether he was using his team practically eleven months in the year or whether he was using it three months or two months? A.—We have his certified account.

Q.—Has this man got a very large district to cover? A.—He had a large district.

Q.—And does it take practically eleven months of the year to assess that district? A.—Well, he assesses, then he goes out on the appeal work afterwards and has to cover it again.

Q.—He is practically going for twelve months? A.—A good part of the time.

Q.—Well at any rate he puts in the bill for covering eleven months of the year, \$5.00 a day, and without any vouchers attached except his own statement certifying to it and he is paid that amount of money and that accounts for such a large item in travelling expenses of \$1,610 over and above the twelve months' salary he received?

MR. McCALLUM: You said you had no knowledge or not other proof of this man's expenses. Wouldn't you have reports from him from different parts of the district throughout the season? A.—His vouchers show that.

Q.—And also you received reports in your Department showing he is at one place today and at a different place tomorrow, which would be proof of his travelling around, would it not? A.—That is all on these vouchers.

MR. CRAWFORD: In this period from May the 26th until the end of June, what constituency was he working in according to that? A.—St. Paul, Beaver River and Vegreville, according to these places mentioned here—Whitford.

Q.—That comes down to July. Let us take the month of May and June; May 25th to 29th. What is that? Mortonmoor, Wasel, Doucette, Lafond, Shandro? A.—Smoky Lake—St. Paul.

Q.—What constituency are those places in? A.—St. Paul, Beaver River and Whitford, I think. I would not say definitely without consulting a map.

Q.—Now we will take the next one—E. C. Lussier. Now in connection with Mr. Lussier, has he ever been out of the province on business? A.—No, not under my instructions.

Q.—Do you know, as a matter of fact, whether he ever was out of the province on business or not? A.—I do not know.

Q.—Was he out of the province during the season of 1918? A.—I do not know.

Q.—You have no knowledge of that? A.—No.

Q.—Now, Mr. Perrie, Mr. Lussier was employed in 1917 for twelve months as assessor. That is correct, is it not, twelve months' salary, \$1,200, and the item in the travelling expense account is \$345. Do I understand you to say that Mr. Lussier was an inside man? A.—Part of the time.

Q.—And how much of his time would be spent in the inside work? A.—Oh, I cannot say offhand without checking up some of the dates. He was not outside a great deal.

Q.—Of course these vouchers would show that, anyway? A.—Yes.

Q.—According to this voucher he started out on the 2nd of March?

MR. MACKAY: That is 1917?

MR. CRAWFORD: That is 1917. And he was out March the 2nd, 5th, 6th, 9th, 10th, 12th, 15th and 17th, 24th and 27th and on the 28th and on March the 31st paid A. & G. W. fare to Lac la Biche and return, \$10.40. Bus fare, \$1.00. And there is a memo on the top written in ink February 28th to March 31st, "Inspecting Wild Lands." Now in this case, Mr. Perrie, vouchers are attached for team. There is nothing to show on these vouchers where Mr. Lussier was on these different dates, from March 22nd to 28th. It just says "Paid C. Benson for team and expenses," and paid someone else team and expenses. There is nothing to show where he was or what he assessed? A.—No.

Q.—It just says: "Paid some person money for team and expenses." A.—Yes.

Q.—And this other voucher from June 23rd to July 6th is simply a voucher showing the expenses for team and driver. For instance, June 26th, expenses for team and driver, \$1.75. June 26th, expenses for team and driver, 75 cents. There is nothing to indicate on these vouchers what Mr. Lussier was doing or where he was. In the first voucher we have examined—Mr. Briere—there was a detailed statement showing where Mr. Briere visited on the different days. In this voucher there is nothing to show where the man was, only simply that he had a team on certain days and he paid so much money for the team. That is correct, is it not? A.—There is a record in connection with his work. I cannot say offhand on that—

Q.—But at any rate these vouchers go to make up that item of travelling expenses and the Department have no record of what he was doing or what lands he was inspecting. This is the only voucher you have? A.—For that expenditure—yes.

Q.—You O.K.d those, Mr. Perrie? A.—Yes.

Q.—Did you not think it necessary to make some enquiries to satisfy yourself as to what this man was doing? A.—No doubt I did. I do not remember the details, though, not at this time. Any voucher I was not satisfied with I made enquiries before I O.K.d it.

Q.—In connection with these travelling expenses you have here \$46.85 paid to Mr. T. C. Jones for travelling expenses, and this man is evidently not an employee of the Department; at least his name is not in the list of salaried officials. How would you explain that? A.—Men are employed specially on this Wild Land Tax work for a short period of work.

Q.—And that would apply to this man Jones? A.—There would be an Order-in-Council appointing him and allowing him certain payment.

Q.—And J. McLennan, \$14.90, is shown here; the same answer would apply to that? A.—Yes.

Q.—There is a J. S. Thomson, \$450.13 for travelling expenses. Would the same answer apply to that? A.—Yes; he was employed temporarily as assessor.

Q.—Where, in the Public Accounts, is his salary accounted for? A.—The whole thing is covered by an Order-in-Council. He was in the same way as the man McLennan.

Q.—Would you pass an Order-in-Council for Thomson and say: "Here, we will give you \$450 to do certain work," and put it in with the travelling expenses? A.—No; there would be details of that work.

Q.—But should that properly come under travelling expenses? Here is the man J. S. Thomson drawing \$450.13 travelling expenses and his name does not appear in the Public Accounts as a salaried official for any period of time? A.—It might be lumped in one Order.

Q.—And all put in as travelling expenses? Mr. Chairman, I would like that Order-in-Council brought to the next meeting. And the same with McLennan and Jones. There are three men drawing travelling expenses under travelling expense accounts in the Wild Lands Tax Branch and none of these men's names appear in the list of salaried officials. Now in going over the list of salaried officials I see you have one man employed as Assessor. Here is a man here, L. L. Hartman, \$97.42. You get his travelling expenses, \$171. You know where you are at? But here we have three men given lump sums for travelling expenses and their names do not appear at all. Is there any explanation for that except as you say the lump sum was passed by Order-in-Council? A.—Men who were employed temporarily in that way were paid off in one amount to save—

Q.—But here is a man here employed for thirty days—L. L. Hartman—you pay him \$97.42 for assessing and under the travelling expense account you pay him \$171. But these other men, we do not know how long they were employed or whether they were employed at all or not and their names do not appear in the Public Accounts at all. Those three names—Jones, McLennan and Thomson that I have mentioned, that is a little out of the ordinary procedure, evidently? A.—In that year we employed a number of men to clear up outstanding appeals.

Q.—But the other men—all those men that you employed that year, their names all appear among the salaried officials whether it is for one month or three months or six months, and there is one for 45 days—with the exception of those three, and their names do not appear at all. I say that is a little out of the ordinary procedure, is it not, that three names should not appear in the list of salaried officials? A.—We very seldom use men in that way.

Q.—Well, it is an extraordinary procedure, you would say? A.—It is unusual.

MR. MACKAY: With reference to Jones, McLennan and Thomson, won't there be a record of the work they did at some place and why they were paid? A.—Yes.

Q.—That would be clearly shown if you had the document here? A.—Yes.

Q.—And just because that document is not here you cannot answer from memory? A.—That is right.

Q.—But it will be clearly shown by a proper voucher in the files of the Department or the Treasury Department? A.—Yes.

Q.—That phrase, "Travelling Expenses," evidently all through here—does it cover that \$5.00 for team and so on? That covers subsistence and \$5.00 paid for team and so on? A.—Yes.

Q.—I mean as printed in the Public Accounts. Although printed as travelling expenses, it covers subsistence and everything? A.—Yes.

Q.—It is abbreviated as "Travelling Expenses." What is the usual way in dealing with all officials who do outside work like that? What is the regular custom of the Government—that they should go to some hotel and take a receipt for dinner for 50 cents or 75 cents and keep a whole lot of vouchers, or are they all allowed a subsistence allowance? A.—A subsistence allowance of so much a day.

Q.—The same as these men? A.—Yes.

Q.—Something has been said about you have no check on where a man is—where a Wild Lands Tax Assessor is. Now what checks have the Department? A.—A man is instructed to go out and assess in a certain locality. His voucher should show where he has been.

Q.—And does he, while out there, report or does he do that when he comes back? A.—Well, if he is away a long time he reports between times.

Q.—Does his report show the lands he has assessed? A.—Yes, there is a field book shows it.

Q.—What does the field book show as to where he has been? A.—It shows the lands he has covered.

Q.—And I suppose the dates? A.—Well approximately, not very closely, the dates.

Q.—Is there any way the Government or the Department could give the House or this Committee any better record of where he was unless they sent a man out to watch him? A.—That would be the only way.

Q.—Then it would be a case of who watched the watchman. You were asked a peculiar question about whether a man gets a salary when he is retired in lieu of notice? These men are retired by Order-in-Council? A.—Yes.

Q.—And the Order-in-Council is passed by the Government? A.—Yes.

Q.—And they accept the responsibility? A.—Yes.

Q.—I suppose, perhaps you would know, it would depend on the reason why he was retired whether he got anything in lieu of notice. There might be exceptional circumstances? A.—Oh, no two cases are alike.

MR. CRAWFORD: Have you any other record in your Department other than these vouchers as to where these men were you were drawing this money for travelling expenses?

A.—The assessors turn in a statement showing an assessment of the lands they cover. And where it is inspection of appeals they would turn in statement showing the lands they inspected.

Q.—But that should be on the voucher which you O.K. saying where the man was?

MR. MACKAY: No, his assessment report would not be in the voucher.

MR. CRAWFORD: Take the last one we examined here—Mr. Lussier. He is charged up some \$400 for livery expenses on various days and there is not one single solitary item there to show where that man ever drove or what he did or where he travelled or anything.

A.—Before passing any voucher of that kind, if I had not first knowledge of it I would find out from the man who sent Lussier out that he had been working under proper authority and doing certain work.

Q.—Well what other check have you got? You say you would find out from some person else. I presume that might be the Minister? A.—Or the Wild Lands Tax Commissioner.

Q.—Wouldn't they have a voucher to show where he had been? If Lussier draws \$5.00 for a certain day hasn't the Department a right to know where that man has been and what he has been doing? A.—Yes.

Q.—The voucher would not show that? A.—Other records would. If the Wild Lands Tax Commissioner had him out at certain work he would know he had him in a certain unit at that time.

Q.—But some vouchers do show that and others again have absolutely no information on them. That is the point. I have examined some of those vouchers of the last year and I want to say in connection with some of the assessors the vouchers are very, very complete and there could not be a bit of exception found to them, but there certainly is criticism coming on some of the others; justly so, I think. And I think we have had an example here this morning.

MR. EWING: In connection with an item of \$400, I want to ask a question. Do I understand you to say that you included in a voucher for travelling expenses the remuneration of the officer? A.—In some cases I think that has been done. The Order-in-Council and the vouchers covering it would give the details of it.

Q.—That is, the details of which you speak will be shown in a record of your Department separating the amount that is payable for services from the amount which is payable in respect of travelling expenses? A.—Oh, yes.

Q.—And you can produce this, of course, in the meantime?

MR. MACKAY: That would likely be an especial case where a man is sent out to do a special thing.

A.—We take a special man to clear up certain localities where an inspector had too much to do, and he would send in an account covering his time and covering his expenses.

Q.—And the voucher will show it all—what is paid for expenses and what is paid for salary? A.—Yes.

MR. CUNNINGHAM: The assessors made a practice of going to the Councillors and getting them, too.

MR. MACKAY: Well, that is not a question. Ask a question if there is anything you wish to know.

MR. EWING: If you want any information the Deputy Minister can give it to you.

MR. MACKAY: What he wanted to say, I suppose, and quite properly so, was that the assessors do not see all the land.

MR. ATKINS: In looking over the assessor's work you would know whether he had done \$5.00 worth of work or whether he had done \$400 worth of work, wouldn't you? A.—I think so.

Q.—I think that is the point.

R. J. DALEY, recalled, further testified as follows: (Examined by Mr. Ewing).

Q.—Have you any papers? A.—Yes; these are copies (produced) and this is the report (produced).

Q.—This is a copy of a letterhead and this is a copy of a letter sent by you? A.—No, it is a report re the Mennonites.

(Copy of letterhead produced was headed as follows):

"Province of Alberta
"Department of Agriculture

Phone: Main 3077

"Publicity Bureau

"Government of Alberta

"R. J. DALEY

"Publicity Commissioner

459 Main Street,
Winnipeg, Man.

(Copy of Report)

"To C. S. Hotchkiss, Esq.,

"Re Mennonites

"I visited some of the settlements of these people in South Dakota. They appear to be industrious and thrifty. The appearance of their farms indicate that they are good farmers.

"In addition to grain farming they handle live stock on a large scale.

"While they live in 'Colonies' so called, yet each individual family have their own separate home in large buildings divided up similar to apartment blocks. They appear clean and conditions about their dwellings sanitary.

"I understand there is about 16 colonies comprising of nearly 2,000 people. They are said to own 64,000 acres of land and live stock as follows: 2,000 horses; 6,000 cattle; 12,000 sheep and 5,000 hogs. They also own and operate 8 flour mills and do gristing for any farmers in the district.

"The teachers in the schools hold certified certificates and teach both English and German. I informed them that German would not be allowed in Alberta schools.

"From my general observation I do not find any serious objection to them as settlers. They say they have taken steps to come into Canada under some former 'Act' relating to their religious sect. All of which is humbly submitted.

"Edmonton, April 10, 1918.

"R. J. DALEY."

MR. EWING: Will you direct the witness to bring here all correspondence that he has in connection with the matters under discussion yesterday?

THE CHAIRMAN: That is the Mennonite matter?

MR. EWING: Yes, and if he has any personal matter.

A.—I might say in answer to that, I was frequently in and out and I would tell Mr. Hotchkiss things and there are no letters, only this report, in the file of letters.

THE CHAIRMAN: Can you bring the file down here to satisfy Mr. Ewing?

A.—Of that?

MR. MACKAY: He says there are no documents except this letter. Go and look at the file yourself and satisfy yourself.

Committee adjourns till 10 a.m. February 20th, 1919.

THURSDAY, FEBRUARY 20, 1919. COMMITTEE RESUMES AT 10 A.M.

MR. EWING: We have been trying for a couple of days to get the files Mr. Daley was to produce. I do not think anyone is trying to prevent them being produced, but I do not think there is any energy shown in producing them, which is not exactly courteous to this Committee. I came down here, on a suggestion made by the Chairman in the presence of the man who is responsible for them, at nine o'clock this morning, to go over them and I have not been able to see them yet.

MR. DALEY: I have those. That is just as the clerk gave them to me. (Papers produced.)

MR. EWING: What clerk?

MR. DALEY: The clerk who is responsible for them.

J. PERRIE, recalled, further testified as follows:

I wish to clear up a point I referred to yesterday. Mr. Crawford asked me yesterday about making recommendations or complaints about men's work. I do not know whether Denton's name was included in that list or not. I did not make any complaint about Denton's work.

MR. CRAWFORD: I have here a voucher in connection with the expenses of C. J. Corberand, Wild Lands Tax Inspector, for \$185.30. Can you tell by that voucher what points in the province were covered? A.—I imagine in the vicinity of the electoral district of Lacombe and Red Deer, principally Lacombe, I think.

Q.—And the dates run from April the 17th to May the 13th. Another voucher, \$83.90, in connection with the same official, dating from July 7th to 13th. What part of the province does that cover? A.—Unit 548 immediately north of the city.

Q.—North of Edmonton? A.—Yes.

Q.—Now we have another one here covering dates from May the 16th to June the 24th for \$349.15. What parts of the province does that cover? A.—That is in the country lying south and east of Lac la Biche and in the vicinity of Red Deer, Lacombe and Innisfail.

Q.—The dates on which Mr. Corberand was in the vicinity of Red Deer and Innisfail would cover what period, according to that voucher? A.—From June 12th to June 30th.

Q.—And from May the 16th to June the 12th he would be in what constituency? A.—I haven't a map here.

Q.—Could you tell by the receipts attached under those dates? Here is May 23rd, a receipt dated Lac la Biche; that would be driving through Unit 665. That is shown there as June the 1st? A.—I cannot say exactly. We usually refer to those by units rather than electoral districts. But some of that would be in Beaver River and Unit 634 is further east. If I had a map here I could tell you.

Q.—Here is a receipt dated May 23rd, Lac la Biche for Unit 665. That would be up in that constituency would it not? Then on May the 30th there is another receipt that is dated at Lac la Biche. May 31st there is another receipt dated Lac la Biche; June 1st another receipt dated Lac la Biche and June 6th the same and June 8th the same. And then the 9th, the next receipt is dated: Bus fare, Edmonton & Dunvegan to Edmonton. Apparently on June the 9th Mr. Corberand returned to Edmonton. That would be correct according to that receipt? A.—According to that receipt.

Q.—So that in all those dates from May the 16th to June the 8th Mr. Corberand was in the vicinity of Lac la Biche. Is that correct? A.—In that country. According to those unit numbers he was there or east of there.

Q.—And according to the receipts and the dates shown thereon.

MR. MACKAY: It would show where the receipt was written.

MR. CRAWFORD: Well that would be fairly good evidence as to where he was—where it was written?

MR. MACKAY: Yes, where it was written.

MR. CRAWFORD: Here is another voucher, from November 5th to the 10th, for \$88.60. Can you tell me anything about that? A.—Those units mentioned there on the voucher are between Camrose and Stettler.

Q.—Now what about that receipt for \$73.60 received from blank, signed by Mr. Corberand; dated at Edmonton. He does not say who it was received from. What explanation have you for that? A.—That is for auto service. He was allowed twenty cents a mile by Order-in-Council.

Q.—For his own auto? A.—Yes.

Q.—Now then on October 20th apparently Mr. Corberand was up in the Entwistle district and he is allowed \$243.20 for the use of his own auto, from September 26th to October 7th, and 9th to 18th; he was allowed \$243.20 for the use of his auto during that period. Am I correct in saying that? A.—Yes.

Q.—What would that \$243.20 include? Would it include his gasoline? A.—And all expenses according to the mileage given here.

Q.—Now then we have another voucher here dated from July 20th to August 3rd and then there is one entry in there, June 4th, making a total of \$172.90. What part of the province would that be in? A.—That is west of Stony Plain in the vicinity of Lake Wabamun. Some is west and some east of Lake Wabamun in the Stony Plain vicinity.

Q.—And here is a receipt received from blank, \$131.40 for use of automobile again, 657 miles at twenty cents a mile. That would be his own car? A.—His own car; the rate allowed him, twenty cents a mile, according to the mileage given.

Q.—I just want to get at what Mr. Corberand actually received for the use of his own car that year. Here is one from November 13th to 18th. That covers the district of Lacombe and Innisfail, Penhold, \$61.70, and the same applies to this. He is allowed \$46.70 for the use of his own car between those dates? A.—Yes.

Q.—And advances are made from time to time for expenses to be accounted for as shown by these vouchers. I do not need to go into that. And the next is J. W. Chapman. He is in the Public Accounts as clerk; he is not assessor? A.—He was employed as assessor.

Q.—But he appears as clerk; \$1,350 salary for 1917. You say he was an assessor? A.—He was used as an assessor.

Q.—For the entire year or just a portion of it? A.—Well, practically the whole year.

Q.—These vouchers are numbered and they have the receipts attached to them. Take the first one under March 26th to April 24th. What districts would that voucher cover? That voucher amounts to \$158.40 covering that period? A.—The country north and west of the city.

Q.—I see there is Spruce Grove and Stony Plain mentioned there, too? A.—Yes; it would be north and west of the city.

Q.—Now take this one from October the 15th to November the 12th. What districts would that cover? That voucher amounts to \$205.20. A.—South of the city, east of the city and west of the city, north of the city. His district that year was all around the city.

Q.—And his work was done apparently from October to November, according to that? A.—Yes.

Q.—And then he also was north and west of the city in March and April as shown by the first voucher we examined. That is correct, is it not? A.—Yes.

Q.—Now we have another voucher here for \$198, covering the period from September 25th to October 13th, Ponoka, Mowatt, Wetaskiwin, Leduc, Ellerslie. That was practically all south of the city. Now this voucher for \$205.55, dating from July 27th to August 17th, what districts does that cover? A.—Peace River, Spirit River and Grande Prairie country.

Q.—We have another one here dated from June 13th to July 4th for \$214.40. Now what

districts would that cover? A.—Around Ponoka and north of the Morinville and Westlock country.

Q.—That is north and west of Edmonton? A.—One is south.

Q.—And the next voucher dating from April 25th to June 9th for \$323. What district does that cover? Let us take April first. A.—That is Lake Wabamun and west there.

Q.—From April 25th to May 1st. Now coming from May 1st: Railroad fare, Edmonton to Vegreville, and then where did he go from there? A.—Brosseau and Lafond.

Q.—And he was in that district from May 1st until what time as shown by that voucher? Here is an item here, May 22nd, livery hire, May 4th to 24th, \$19.00. The preceding entry is auto, Brosseau to Lafond. Take those four entries, May 1st, May 2nd, stage Vegreville to Brosseau and return fare 3rd, auto Brosseau to Lafond. On May 22nd there is an entry, livery hire May 4th to 24th—where would he be in that time? A.—In the same district.

Q.—What constituency is that in? A.—Lafond is just north of the river there. I could not say where he might be.

Q.—In Beaver River or St. Paul—one of the two, would he not? A.—He might be.

MR. MACKAY: Is Whiteford north of the river?

A.—He might be in Whitford or south of the river.

MR. CRAWFORD: Take the next voucher again, from July 5th to 21st, for \$199.70; where would he be in that time? A.—Between Edmonton and Wetaskiwin.

Q.—Just at this point, I would like to ask a question here. I notice that in all the vouchers we have examined so far that these assessors are jumping from different points. Is that the most advantageous way to carry out the work with the minimum of expense? A.—In connection with their inspection of appeals we have to move them around a good deal; the appeals are scattered.

MR. MACKAY: With reference to these accounts where a man is using his own auto is the mileage shown in the account? A.—Yes.

Q.—And these men own their own autos? A.—Yes.

Q.—And they are allowed what? A.—Mileage; that year it was twenty cents a mile.

Q.—To cover all expenses? A.—All expenses incidental to the machine.

Q.—Does that cover gasoline and all bills? A.—Yes.

Q.—What is your judgment? Is that a cheaper way than if you had to hire autos? A.—It is cheaper.

MR. CRAWFORD: Do you know the nature of the country through which these men have travelled with their autos? For instance, that last voucher we examined in connection with some 600 miles I notice the mileage is considerably large up through Entwistle country up through a short period there. Do you know the nature of that country there? A.—No.

Q.—Do you think it would be possible to drive that mileage through that Entwistle country at all with an auto? A.—I would think so. There are people out travelling there by auto.

Q.—I can understand through a main travelled road, but to drive through the country inspecting lands as he would have to do. Now take Mr. J. M. Dechene. What position did he hold in 1917? A.—I could not say from memory. Part of the time he was in the Department; part of the time he was in the Minister's office as secretary.

Q.—I see he is entered here in the Public Accounts, twelve months' salary as inspector. You say he was in the Minister's office part of the time? A.—To begin with he was in the Department as an inspector.

Q.—And then was transferred to the Minister's office as what—secretary to the Minister? A.—Yes, called secretary.

Q.—Twelve months' salary as inspector. What has that reference to—inspector—the Wild Lands Tax Branch? A.—No; inspector under the Municipal Act.

Q.—Now we have this first voucher which is rather a heavy one covering a small period from June 1st to 8th inclusive; eight days' subsistence at \$3.00, \$24.00. June 13th to 30th, eighteen days' subsistence at \$3.00, \$54.00. Livery teams and one auto as per attached receipts, \$92.00. June 8th auto stage St. Paul to Vegreville, \$5.00. June 13th fare to Spirit River from Edmonton and return, \$28.60. June 13th berth Spirit River, \$3.00. June 30th, berth from Spirit River, \$3.00. June 13th, bus to Dunvegan station, 50 cents and July 1st, bus from Dunvegan. May 5th to 31st inclusive, twenty-seven days' subsistence at \$3.00, \$81.00. Livery team and auto as per attached receipts, \$133.00. Railroad fare to Vegreville and return, \$3.75 and auto stage on May 6th, St. Paul de Metis, \$5.00. So that from June 1st to July 1st we have a voucher here for \$433.35. Where was most of the time spent during that period? A.—I have no information given there in the voucher.

Q.—We will refer to the receipts. June 1st to 8th, eight days' subsistence. June 8th auto stage St. Paul to Vegreville. Now according to that Mr. Dechene would be returning from St. Paul on the 8th day of June. That would be correct? May the 5th to 31st, twenty-seven days' subsistence at \$3.00 a day, \$81.00. Livery teams and autos, \$133, as per attached receipts. Now see if you can find out from these receipts where those autos were used from May 5th to 31st? St. Lima, May 8th; there is a receipt for team for two days, \$10.00. May 11th there is a receipt for \$20, dated at Lac St. Vincent. Where is Lac St. Vincent? A.—In the Beaver River or St. Paul constituency.

Q.—Here is a receipt dated May the 19th dated at Lac la Biche for \$35. Team for five days, that is May 14th to 19th, \$35—\$7 a day. What is that? A.—Therion.

Q.—May 23rd, where is that? A.—Beaver River and St. Paul.

Q.—\$20 livery from 20th to 23rd May. Dennisville under date of May 26th, \$18 for livery. Where is Dennisville—in the same district? A.—North of the river.

Q.—In the St. Paul or Beaver River constituency? A.—I could not say which it was now.

Q.—Bordenave, \$30 for livery, six days, May 27th to 31st. Doucette west of St. Paul, June 5th, \$20, auto livery. That is in the St. Paul constituency? A.—Yes.

Q.—And after the middle of June he jumps into the Grande Prairie district, according to the receipts. Here is one for \$12; auto to Bear Lake; and one in Peace River on June 28th, livery and team; that is all of that. We have another voucher for \$52.75 between the dates of July 6th to the 11th. What district does that cover? St. Paul and Bear Lake, it mentions. It is up in the same district. So he evidently made the second trip back into that district at a later date, as shown by that voucher. Here is another one dates from January 5th to 16th and to the 25th, for \$130.25. And Mr. Dechene, according to this voucher, was in St. Paul on January 6th. That is correct, is it not? Auto bus Vegreville to St. Paul, \$6.00. So that he has been in that district at three different times in connection with his work. Now the next is D. A. Boychuk. The first dates from March the 17th to the 29th, \$127.05. March 17th railway ticket to Innisfree, \$3.05. Can you tell me from that voucher just what district he had been in through that period? A.—In the district north of Vegreville and Innisfail,—north.

Q.—Here is a voucher from May 5th to June 3rd amounting to \$241.75. Can you tell me from the receipts and this voucher where Mr. Boychuk was within those dates? Apparently that just gives the names of the people he rented the teams from. It would be necessary to refer to the receipts to get the items. Apparently he does not indicate on his receipts where they were made. You O.K.d that account, did you? A.—It was O.K.d by the Acting Deputy.

Q.—Who was the Acting Deputy at that time? A.—A. E. Young.

Q.—That voucher never came under your notice? A.—If I had dealt with it I would have initialled it.

Q.—We have the voucher here for \$241.75, and we have receipts attached and there is absolutely no way of indicating either by the receipts or vouchers what part of the province Mr. Boychuk was in at that time. What have you got on your files? What have you got on your files that can give this information? A.—The report may have been verbal or it may have been written, but there would be a report as to that, and instructions would be given him before he went out.

Q.—This is from May the 5th to June the 3rd, and there is nothing on any of these receipts to indicate as to where Mr. Boychuk was? A.—He would receive instructions either written or verbal before he went out and he would make a report when he came back.

Q.—Can you bring any other documents or books into the Committee to show where Mr. Boychuk was at this time? A.—If his instructions were given verbally and his report given verbally there would not be any.

Q.—Mr. Boychuk himself would know, would he not? I guess that is the only solution—to bring Mr. Boychuk into the Committee. Here is another voucher, \$88.75, dating from April 14th to 21st, and strange to say in connection with these receipts they are made out on the same kind of form which he has, evidently right along; he has mentioned the place at which the receipts are written. April 15th there is a receipt at Vegreville, \$17.00; April 15th there is one at Shandro; April 16, Wasel. And April 17th that is not dated; team for Mr. Shears at Vegreville. So that prior to the latter part of May and early in June there is no trouble in indicating from the voucher just where Mr. Boychuk was at that time. The same thing applies in November again. Here are the receipts made on the same forms and the places in which the receipts are made out are stated on the receipt in every case. That is correct, is it not, in connection with that voucher, that is a voucher for \$57.40 from November 5th to 9th, and there are seven receipts attached made on the same form of receipt and in each and every case the date and place where the receipt is made out is mentioned. Is that correct? So that apparently Mr. Boychuk has adopted a practice of stating on his receipts where they were written with the exception of one month throughout his entire travelling. That is the conclusion that we must arrive at by the vouchers produced. Is that correct? A.—That is as shown by the vouchers—yes.

MR. MACKAY: Just look at these accounts where Mr. Crawford says there is no way of indicating where he was. Is not the name of the payee—the man he paid the money to—in every case fully given? A.—Yes.

Q.—Take a man like Mervinik—Sheriff's Officer and prominent man—and take a man like Chomik? Would it not be almost unpardonable not to know where those men were? I know most of them myself. Do you know most of them? How many do you know yourself, now? A.—Seven or eight of them.

Q.—You know yourself eight names of the payees that give these receipts, out of fourteen. Now is the important point where the receipt was given or the facts as stated in the receipt? Which is the important point? A.—The facts.

Q.—The voucher itself—to whom he paid the money? A.—Yes.

Q.—And is there a single voucher there in that account—is there a single stifling of the name of the man? A.—No, it is all given.

Q.—There are names there as to every payment are there not? A.—Absolutely.

Q.—Absolutely every one.

MR. CRAWFORD: That part never was questioned.

MR. MACKAY: Just a little further. There is nothing so deceiving as half the truth, you know. Where does William Mervinik live? A.—Well, I can go to his place.

Q.—What district would it be in? A.—Unit 545 or 546.

Q.—Do you know what district it would be in? A.—Whitford.

Q.—Where does Chomik live? A.—In the same district.

Q.—And where does Paszczuk live? A.—Unit 546; that is either Vegreville or Whitford.

Q.—Where does Danchuk live, if you know? A.—He is near Hawrelik.

Q.—Does he live north of the river there? A.—He is just north of the river.

Q.—Then take another name—Dudar? A.—In the same locality.

Q.—And where does the next man live? A.—In the same district.

Q.—And where does the next man live? A.—I do not know.

Q.—And Ambar, where does he live with reference to those other points? A.—North and east.

Q.—What district would that be in politically? A.—Whitford or Beaver River.

Q.—And the next? A.—Two of them are repeated again. I am not sure of Rudiac; I think I have met that man before sometimes.

Q.—And M. Binder—do you know him? A.—No.

Q.—Lakusta—where does he live? A.—In the same district.

Q.—They are all near the river and Mervinik lives north of the river himself in Whitford? A.—Yes.

MR. CRAWFORD: When did you become acquainted with those prominent men of the district?

A.—Because we unfortunately have had some trouble in some of these municipal districts up there and these councillors come in sometimes in a body—they come in several times.

Q.—How many of these men are councillors or were councillors? A.—Budrow, Hawrelik and Papwsky was either councillor or secretary-treasurer, and Chomik was either councillor or secretary-treasurer and this man Anning was a councillor.

Q.—So you are satisfied now as to the district in which Mr. Boychuk travelled? A.—Well I can tell by those names the locality he was in.

Q.—And some of them are in Beaver River, some in St. Paul, and some in Whitford. Is that correct? A.—Yes; none of those in St. Paul.

Q.—And how many would be in Beaver River? A.—I think this man Anning is in Beaver River but I am not sure. The others, as I remember them, they are in Whitford.

Q.—Would you say all those others are in Whitford? A.—No, I would not say they were there now.

Q.—Now we will take Mr. G. H. McFetridge. He is now in the employ of the Department? A.—No.

Q.—When did he leave the Department? A.—1917.

Q.—I see here he is entered in the Public Accounts “G. H. McFetridge, eight months and seven days’ salary as assessor.” Was he employed in the Department prior to 1917? A.—I think he was employed a short time in previous years on assessment work.

Q.—You knew him previously, did you? A.—Yes.

Q.—And he received \$1,701 for expenses for the eight months and seven days as shown by the Public Accounts. The first voucher is for \$374.75. There are no receipts attached to this voucher, Mr. Perrie? A.—There would be none required.

Q.—That was the regular subsistence allowance and travelling expenses as passed by Order-in-Council, I presume? A.—Yes.

Q.—And can you tell me by that voucher just where Mr. McFetridge was during that period, from September 27th to November 8th? A.—It gives you the townships there. The townships are shown on the voucher which he submitted at that time.

Q.—That would be in the southern part of the province? A.—In the vicinity of Coronation or Castor.

Q.—Can you tell me by this voucher dated May 31st—17th to 31st—\$326; sixteen days with car, 1,280 miles from May 1st to 12th and from May 25th to 31st, in Units 213,243,273 and 303, inspecting wild lands. Can you give me any idea from memory just where these units are? A.—Between the Red Deer River and the Lacombe branch of the C.P.R.

Q.—Most of Mr. McFetridge’s work, according to these vouchers, has been done in the Coronation district? A.—Coronation south.

Q.—He is the only one we have examined so far that has been allotted a particular district and has stayed with that district? A.—He was only employed temporarily for the district in his own locality.

Q.—Yes; I see they are practically all Coronation district.

MR. MACKAY: When you come to consider assessment appeals and that sort of thing is it possible to keep a man in a particular district—or what is the practical way of getting it done? A.—One man may have very few appeals in the district he assessed and we have him go and help other districts out. He may go any place.

MR. CRAWFORD: Further in connection with that. You put a man in Beaver River constituency for one month and the next month you would send him into Peace River, as has been shown by the vouchers?

MR. MACKAY: Which voucher?

MR. CRAWFORD: Any of them referred to.

MR. MACKAY: Which voucher?

MR. CRAWFORD: All of them.

MR. MACKAY: Name one.

MR. CRAWFORD: All that we have examined, Boychuk, Dechene, Chapman.

MR. MACKAY: Just show us on the vouchers where Boychuk was in Peace River. I do not want statements to go down that are not an absolute fact. Just show us, now, where Boychuk was in Peace River.

(At this point the shorthand notes of the testimony taken this morning were read over by the reporter.)

MR. CRAWFORD: No; Boychuk was not in Peace River.

MR. MACKAY: And Dechene was not. Give us the ones that were in Peace River, as you stated.

MR. CRAWFORD: The next one is D. C. Gourlay, 456 days as assessor, \$147.85; you are acquainted with him? A.—Yes.

Q.—Is he now in the employ of the Department? A.—No.

Q.—Where does this Gourlay live? A.—He was living at Lacombe when he worked for us.

Q.—Mr. Gourlay's voucher is a very complete one; it is a little out of the ordinary from the others we have examined, giving every section and quarter-section he has visited? A.—Yes, sir.

Q.—And showing the mileage? A.—Yes.

Q.—Apparently there is no particular system for each inspector or assessor reporting—there is no particular form for him to fill out as a voucher, is there? A.—In what way? How do you mean?

Q.—Here is a man makes a complete return showing every quarter-section he has inspected? A.—That is not called for in connection with his expense voucher. The others send in a similar statement to that but it is not usually attached to their voucher.

Q.—You get a similar statement from all of them? A.—In connection with the inspection of wild lands, but it is not always attached to the voucher.

Q.—But it is something in that form? A.—Yes; he evidently sent his in duplicate and had one copy attached to his voucher.

Q.—What is the total amount of that voucher? A.—\$326.50.

Q.—And this voucher here is simply an advance? A.—Yes.

Q.—Well, now here is one here; what is this one? A.—\$5.45.

Q.—So that makes \$331.95. Those are the only vouchers produced covering Mr. Gourlay's expenses and the Public Accounts show \$360.00. So apparently the vouchers are not all produced. A.—What are those figures, again?

Q.—The next one is H. N. Cavan; 6 months and 4 days' salary as assessor, \$614.29, travelling expenses \$2,011. What part of the province does Mr. Cavan work in? A.—Near Medicine Hat.

Q.—He does not come up in this district at all? A.—He is not in the service now.

Q.—Was he up in this part of the province? A.—No, I do not remember him doing any work up here.

Q.—A. K. Whiston. He resides in the north? A.—Yes, sir.

Q.—He is shown in the Public Accounts as an inspector employed for the full time during 1917. His travelling expense is \$1,498. Is that in connection with the Wild Lands Branch? A.—Municipal inspection.

Q.—How many inspectors have you in the north? A.—All our inspectors live here except one.

Q.—Now, take this voucher, \$100, dating from January 3rd to February 6th. Can you tell me from that voucher what part of the province Mr. Whiston was in at that time? A.—Westlock and Clyde.

Q.—Here is another one dated in the month of November. What districts was he in during that period? A.—Well, this is not all his. This is a voucher for railway transportation for quite a number of different people.

Q.—Well, it would indicate his own on there? A.—There is one—Camrose.

Q.—And here is one, October 21st, and another voucher, Millett to Edmonton. He would be down in that district at that time. Here is another one dated November 1st, Blackfalds; December 1st, Bowden; December 9th, Bittern Lake. And during that period he was evidently working south of the city; December 31st, Lacombe. I do not think we need go into this in detail. Now, coming into January, 1917—what part of the province was he covering during that period? A.—Most of these are transportations for other people.

Q.—January, 1917. Can you tell me by that voucher where Mr. Whiston was at that time? A.—That is for a ticket to Clyde.

Q.—Now we come into February; and where was he at that time? A.—Ticket to Vegreville and one to Lamont.

Q.—Now then here is a voucher dated May 1st to May 7th for \$100. Where was Mr. Whiston during those seven days? A.—Vegreville, Andrew, Smoky Lake and Pakan.

Q.—Here is another voucher from June 12th to July 13th; that covers that month. What districts was he in at that time? It mentions auto to—— A.—Manville and Busby.

Q.—Those are the district numbers here where he was inspecting and auditing the books? We have another voucher, May 15th to June 7th for \$212, in which he was given an advance

of \$150 before he started out. What part of the province was he in at that time? A.—Vegreville, Brosseau, St. Paul.

Q.—So he went up there in April for a while, according to that second last voucher examined, then he came back and he went to Busby and went to Manville and then he jumped back into the St. Paul district again for the period of from May 15th to June 7th, and his expenses in connection with that were \$212 of which he received \$150 in advance before going out. That is correct, is it? A.—May 15th to June 9th.

Q.—And the others are transportation. There is no use taking up the time of the Committee on that. Then we have another voucher here, August 13th to 31st, and that voucher is for \$154.50. What district does that cover, Mr. Perrie? A.—Junkins, Local Improvement District near Lake Wabamun, Local Improvement District near Camrose, Local Improvement District 577 straight north of the city and 578 also north of the city.

Q.—Then we have another one here dated September 5th to 25th for \$100 in which he makes another return trip to Smoky Lake again. That is his third trip up in here according to the vouchers. September 21st, auto Edmonton to Smoky Lake and return, 120 miles, \$24. A.—I was with him on that trip. We went up to look into some trouble with the council.

Q.—Now we have another voucher, July 4th to August 1st for \$108.75, in which he was given an advance of \$100 starting out. What district did that cover? Is that Municipal District 512 north of Vermilion? Edson, Tollerton? A.—Municipal Districts 543 and 545 north of Vegreville.

Q.—Then we have another, September 27th to October 9th for \$134 in which he was in what districts? A.—Municipal District 580, northwest of the city, and Municipal Districts 542, 572 and 573 and 544, north and east of Vermilion, Vegreville.

Q.—That is up in the St. Paul and Beaver River constituency. Auto, Edmonton to St. Paul de Metis? A.—They are all along the River.

Q.—And Lac St. Vincent and Lafond and return; and that was the fourth trip into that particular district during the year. And we have another one here, October 11th to October 31st for \$108.55, covering the districts of Vermilion, Kitscoty, Islay, Chipman and Fort Saskatchewan.

MR. MACKAY: What do you say Mr. Whiston's duties were during all this time? A.—Inspecting municipal offices and auditing the books of the local improvement districts.

Q.—A statement has been thrown out over and over again that this man went back two and three and sometimes four times into a particular district. Is that avoidable or unavoidable, or how is the work done? A.—It is unavoidable where there is trouble in a district in connection with a matter.

Q.—In the first place, on what occasions does your inspector of municipal districts or of their books go out? Is he regularly going in the province all the time? A.—Yes.

Q.—And if he were regularly going he could take a regular trip—seriatim trip? A.—Yes.

Q.—And is he frequently called because some particular trouble comes up with reference to the books, that have to be straightened out? A.—He frequently has to make special trips to straighten out troubles they may have at different times.

Q.—After the attention of the Department is called to it? A.—Yes. They write in and complain about certain matters and we frequently find the best way to deal with that is to send a man out and make an inspection.

Q.—And dealing with that class of inspection he could not map out a route for himself at all? A.—He maps them out but we have to break in on them all the time.

Q.—You do map out the routes. What do you mean by that? A.—We give a man a sort of territory, tentatively, that he has to cover, but if there is trouble in the territory or elsewhere before he gets over his territory we pick up the man that is easiest reached and shoot him over to wherever the trouble is to make the inspection.

Q.—To straighten up that particular trouble at that particular time? A.—Yes.

Q.—And then he goes back to his particular work? A.—Yes. And he frequently has to go to a district, when we are auditing the books and he cannot complete them because the man does not have his work up to date and he frequently has to return again after the books are made up. He would frequently have to go back two or three times.

Q.—With some of the secretary-treasurers? A.—Yes.

Q.—You are dealing, up in that northeastern country, not always with English-speaking people? A.—Yes.

Q.—You are dealing with Russians and that class of people? A.—Yes; many of the secretaries are Russian.

Q.—What is the rule of the Department—to so try to map out the work as to keep the expenses as low as possible and give them a continuous route? A.—That is the idea.

Q.—But it is broken into from time to time? A.—Yes. We pick up the nearest man available for a special inspection, always.

Q.—And something was said about that other man's account—that man showing every quarter-section he was on. Is that a usual way to send in an account? A.—No.

Q.—That would go in the report to the Department—what points he had inspected? A.—Yes.

Q.—It would be a ridiculous work of supererogation to duplicate that? A.—Yes, there is no need for that.

Q.—He was wasting time? A.—It was never asked for.

MR. CRAWFORD: There is no question about that; it is perfectly satisfactory.

MR. MACKAY: Well I want to make it clear. The public might not understand it, otherwise.

Q.—Then, Mr. A. E. Humphries; where does he live? A.—Lethbridge.

Q.—Is he an inside man? A.—He was an outside man when he was with us.

Q.—Is he in the employ of the Government now? A.—No.

Q.—How long was he employed as Wild Lands Tax assessor? A.—About three years I think.

Q.—Did you ever have any complaints come in from people in the south with regard to any matters in connection with his work? A.—We have.

Q.—What was the nature of those complaints? A.—Land was assessed that should not have been assessed.

Q.—Perhaps I do not put my question clearly. I do not mean in connection with the assessment of land, because there will naturally be complaints.

MR. MACKAY: Whoever did not complain of taxes?

MR. CRAWFORD: In connection with moneys that he paid out in connection with his travelling expenses, or issuing receipts or anything of that nature—have you any recollection of any complaints ever coming in? A.—No. There may have been, but I have no recollection, anyhow, I cannot remember.

MR. MACKAY: You do not recollect any complaints coming in in connection with any irregularities financially in connection with his work? A.—No.

MR. CRAWFORD: There were no complaints in regard to receipts for money? A.—No.

Q.—Would it be possible for such complaints to come in without your knowing of it? If they were addressed direct to the Minister would they come under your direction? A.—It is possible they might come in, but not probable.

Q.—But still, if you were given the assurance that such written complaints did come in you would not be in a position to deny it, of course? A.—They might have come in without my knowledge.

Q.—Addressed direct to the Minister and you might not hear anything about it? A.—That is true.

MR. MACKAY: Have you any knowledge of your own of any such ever having happened? A.—No.

Q.—You never heard it before? A.—No.

MR. CRAWFORD: The Honourable Mr. Gariepy. This voucher here for \$558, being part of Mr. Gariepy's travelling expenses for 1917 contains one item, May 7th to May 24th—Edmonton to Lac la Biche and St. Paul, \$79. That is correct?

A.—Well I do not handle these vouchers at all.

Q.—From May 25th to June 9th, Edmonton to Lac la Biche, Plamandon and St. Paul, \$90. June 19th to 30th, McLennan, Spirit River and Peace River, \$48. There is an item here in this voucher, \$343, December 5th to December 14th, Edmonton to Plamandon and Vegreville.

MR. MACKAY: What year is that?

MR. CRAWFORD: 1917, \$108.

MR. MACKAY: If you want to get down on the record what Mr. Gariepy's is, this man does not know anything. He says he does not; you are simply taking up time.

MR. CRAWFORD: I would ask for this whole return to be written into the minutes.

(Voucher covering expenses of Hon. W. Gariepy on file in Treasury Department).

MR. MACKAY: With reference to the accounts of the Minister, The Honourable Mr. Gariepy, it would not be your duty at all to check up in any way his accounts? A.—I have nothing to do with that in any way—absolutely nothing.

Q.—You do not in your Department check up the accounts of your superior officers, do you? A.—No.

MR. CRAWFORD: The three orders asked for yesterday, Mr. Chairman, with reference to Mr. J. S. Thomson, Mr. McLennan and Mr. Jones—

THE CHAIRMAN: There is no Order-in-Council for Jones. There are two belonging to Thomson and one for McLennan.

MR. CRAWFORD: I would ask for these to be written into the minutes.

(Copies of Orders-in-Council produced, as follows):

“Certified copy of Order-in-Council of the Province of Alberta, dated Edmonton, Wednesday, May 9th, 1917, approved by His Honour The Lieutenant-Governor.

“Upon the recommendation of the Hon. the Acting Minister of Municipal Affairs, dated May 7th, 1917, the Executive Council advises that the sum of one hundred dollars (\$100) be advanced to James Thomson, Oyen, Alberta, for expenses while engaged in assisting in assessment under the Wild Lands Tax Act in Assessment District No. 6; the amount to be accounted for in the usual manner.

“Certified a true copy,

“JOHN D. HUNT,

“Clerk of the Executive Council.

“Edmonton, February 20th, 1919.”

“Certified copy of Order-in-Council of the Province of Alberta, dated at Edmonton, Monday, July 30th, 1917, approved by His Honour the Lieutenant-Governor.

“Upon the recommendation of the Hon. the Minister of Municipal Affairs, dated July 23rd,

"1917, the Executive Council advises that the sum of three hundred and fifty dollars and thirteen cents (\$350.13) be paid to J. S. Thomson, of Oyen, for services rendered and expenses incurred in assessing Wild Lands Assessment District No. 6 from April 30th, 1917, to June 30th, 1917.

"Certified a True Copy,

"JOHN D. HUNT,

"Clerk of the Executive Council.

"Edmonton, February 20th, 1919."

"Certified copy of Order-in-Council of the Province of Alberta, dated at Edmonton, Monday, July 30th, 1917, approved by His Honour the Lieutenant-Governor.

"Upon the recommendation of the Hon. the Minister of Municipal Affairs, dated July 18th, 1917, the Executive Council advises that the sum of fourteen dollars and ninety cents (\$14.90) be paid to John McLennan, of Red Deer, for services rendered and expenses incurred in connection with attending Appeal Court re Wild Lands Assessment at Red Deer on December 28th and 29th, 1916.

"Certified a True Copy,

"JOHN D. HUNT,

"Clerk of Executive Council.

"Edmonton, February 20th, 1919."

MR. MACKAY: Can you tell us the reason there is no order with reference to Jones?

A.—Jones was on the staff and I did not need an order to cover an expense voucher from him.

Q.—Why did the Government require an Order-in-Council with reference to those that are on the staff, or can you say? A.—Well it is a regulation from the Treasurer that you cannot get through an expense voucher unless a man is an employee of the Government.

Q.—And there would need to be an Order-in-Council to authorize the payment. These men not being on the regular staff, the Treasury Department would not put it through? A.—Yes, sir.

MR. CRAWFORD: You say Jones was on the regular staff. There might be some mistake in the printing of the Public Accounts with reference to initials—T. C. Jones, \$46.85. A.—It should be S. C. Jones, just a mistake in the initial.

Committee adjourns *sine die*.

TUESDAY, FEBRUARY 25, 1919. COMMITTEE RESUMES.

MR. CRAWFORD: What is the rule with regard to the proceedings of the Public Accounts Committee, about the evidence being supplied to those who are doing the cross examining from day to day?

THE CHAIRMAN: How do you mean?

MR. CRAWFORD: Should there not be typewritten copies of that supplied to those who are taking part in the proceedings?

THE CHAIRMAN: It has never been done.

MR. CRAWFORD: There should be. If it is the intention of the Public Accounts Committee to bring in a report at the close of the Sittings how can that report be brought in without having a chance to peruse the evidence as taken by the Committee?

MR. BOYLE: I do not think this is done anywhere else, as far as I know; I mean in any of the provinces. Of course, in the Dominion House they have Hansard, but here, we would have to establish a Hansard as far as the Public Accounts are concerned.

MR. CRAWFORD: These Public Accounts have to be printed, anyway, and it is just as easy to make three or four copies and I do not see how a report could be brought in.

MR. BOYLE: How do you mean, they have to be printed?

MR. CRAWFORD: The proceedings of the Public Accounts Committee are printed each year and we get them about six months after the Session closes. It is printed in book form.

MR. HOADLEY: Some years ago, every second day after evidence was given the reports were handed to us. I remember perfectly.

THE CHAIRMAN: I never saw them.

MR. CRAWFORD: I think, up to last year, we would get copies of those reports about the second day after the proceedings of the Committee.

THE CHAIRMAN: I have no recollection, myself, of ever seeing them.

MR. CRAWFORD: I cannot see how a Committee can bring in a report without seeing the evidence.

MR. BOYLE: If we are going to run the Committee pretty regularly we will have to have enough stenographers to take this stuff off and get it here from time to time and we will have to gather up quite a lot of expert stenographers. I will look into this and see what we can do with regard to getting this out.

MR. CRAWFORD: Will you give us a report on that at the next meeting?

MR. BOYLE: Well we will see; we will try.

MR. R. J. DALEY, recalled, further testified as follows:

I would like to ask for a correction if it is required, if I am permitted to do this.

THE CHAIRMAN: Yes, Mr. Daley.

A.—In an article that appeared in the "Edmonton Journal" of February the 19th, I want to get this corrected in the minutes.

THE CHAIRMAN: This reporter is not giving any reports to newspapers. The newspapers have their own reporters here.

MR. DALEY: The "Edmonton Journal" reports me as stating that I had gone on a tour through the west with Scott in December, 1917. This is an important item because of this fact, that I did not make such a tour, nor did I know anything of their proposed coming until January, 1918, and visiting their colonies in March following. I do not want the matter to be wrong. Well, it is putting something that is not correct. It says "He," that is, Daley, "made a tour of "the province with Scott in December, 1917," which is not correct at all and if it is so reported in the minutes I want it corrected in the minutes. Can I have the minutes read to see if it is there?

MR. EWING: We cannot have these notes tampered with.

THE CHAIRMAN: No; we do not propose to. If you see Mr. Powell some time probably he can read them over, and if you have any corrections to make you must come up before the Committee to make them. Mr. Powell cannot tamper with the notes.

MR. CRAWFORD: That brings up the point I mentioned a while ago—the printing of these minutes from day to day.

MR. EWING: Mr. Powell understands that he is not at the instigation of anybody to change any notes taken here. If he chooses to read them to anybody he can do so; but even an obvious mistake must go as it is given.

MR. DALEY: There is one other thing. Speaking of what may be in the newspapers, it is also in the newspapers that the charges against R. J. Daley are to be resumed at another time. Am I here on a charge?

THE CHAIRMAN: No, you are not. No charge is against you at all.

MR. BOYLE: You must not pay too much attention to what is put in the newspapers. That was a headline and the newspaper people, I understand, have a specialist to write headlines.

MR. DALEY: You will excuse me, but I am interested a little in this as well as others.

MR. ATKINS: What paper is that in? A.—In the "Journal."

MR. ATKINS: Well, that explains it.

A.—It is heralded all over the country and people do not know whether we are in the courthouse and I am under heavy charges, or not.

MR. BOYLE: I am bound to say that I thought the report made by the "Journal" reporter was a pretty fair report. It seemed to me to be reasonably accurate. I cannot recall just now what is in but I was present at the time of the examination and I thought he made a very fair report. The reporter is not responsible for the headline. As I said, the newspaper people keep specialists for making headlines.

MR. DALEY: Thank you for saying that. I had no complaint to make but this thing of charges is the point I was calling attention to. I did not know I was summoned. I did not have a subpoena. I did not see any indictment.

THE CHAIRMAN: You were just requested to appear. So far as the Committee is concerned there are no charges whatever against you. So far as the Committee is concerned we will afford you all the protection we can, but we cannot protect you against what the newspapers would say. If we did that we would be in hot water all the time.

EXAMINATION OF MR. DALEY:

(Mr. Ewing) Q.—You told us the last time you were giving evidence about the Reid and Baxter Ranch. Were you only out once to view that ranch? A.—Yes, sir, I think once.

Q.—And who was with you on that occasion? Who were with you? A.—Well, there were three of the delegates.

Q.—Who were those three? A.—I cannot recall their names.

Q.—Would you recall their names if I gave them to you? Was Paul J. Wiff one of them? A.—No, sir, I can say that. I remember Mr. Wiff, I remember his name, though I am not so sure of the others, but he was not there.

Q.—Will you look at that letter and tell me if that is your signature or not? (Letter produced.) I wish you to identify the signature if you can? A.—(After reading letter).—That is my signature.

Q.—I suppose you can tell your signature without reading all that is above it, can't you? A.—Yes.

Q.—You would know that is your signature, wherever you saw it? A.—Yes. But it is nothing improper in reading it.

Q.—Oh, no. I was going to read it to you. This is dated January 9th, 1918. It is written from South Edmonton, 10018 86th Avenue. It can be put in as an Exhibit but for the better understanding of the Committee I will read it. (Read.)

"10018 86th Avenue,
"January 9th, 1918.

"E. E. Taylor, Esq.,
"134 9th Avenue West,
"Calgary, Alberta.

"Dear Sir,

Re Reid & Baxter Ranch.

"Please let me have a letter setting forth the price and terms of the twenty or more sections
"of ranch and farm lands east of Olds, known as the Reid and Baxter Ranch.

"I have a prospective purchaser but must have all particulars, that is to say, a typed out
"legal description and marked township plans showing each section, also have letter show what
"sections are cultivated, or what parts are cultivated. Also describe the district whether suitable
"for mixed farming and stock raising, dairying, and etc. Also state how far from Olds and give
"me as many particulars as you can.

"This appears to me to be a fairly good chance to make a sale in one block. Have you any
"assurance relating to the commission? In a transaction of this size it would require a written
"contract, and the party with whom I am negotiating would secure the buyer and the commission
"will therefore be divided three ways. In your letter to me make this quite clear, relating to
"commission. (1) That you have authority to sell the property. (2) That you have a binding
"contract with the owner. (3) That you will agree that the comms. shall be equally divided
"among you and me and the other party.

"Now I am aware that this will give you some work to get this in proper form but knowing
"the circumstances I feel sure it is worth while to do so early as possible as the matter will be taken
"up for consideration immediately.

"Hoping to hear from you soon with as complete data as possible, I am,

"Yours truly,

"R. J. DALEY."

Q.—Was that postscript at the bottom in your handwriting? A.—I do not remember that.

Q.—Is that your handwriting? A.—I think it is. I think I wrote that. I would not
say I did not. It is immaterial.

(Reading postscript):

"This man who I refer to is reliable and has good parties ready with money to do business."

Q.—Now who are the parties who were ready with money to do business? A.—The Mennonite
people.

Q.—How did you get in touch with them? A.—I have told you before. Do you wish me
to repeat it again?

Q.—Will you answer my question? A.—I will.

Q.—How did you first get into touch with the Mennonites? A.—Well, I will have to review
all I stated in the evidence before.

Q.—Tell me when and how you first got in touch with the Mennonites?

MR. BOYLE: He explained all that the other day, unless you want it all repeating.

A.—I do not understand what the question is that you wish.

MR. EWING: If there is going to be any hedging—we are going into this thing.

A.—I am not wishing to hedge but do you want me to tell as to the way there were letters
come to the Department asking for maps and literature? I may repeat it again; but I did not
know whether it was anything new.

MR. BOYLE: Repeat it all over again if he wants it repeated.

A.—I want to know if there is some other way. I do not want to be contrary and I do not
want to be hedging at all, for I did not hedge before, certainly, and this letter, I wish to point out,
corroborates my open voluntary statement.

MR. EWING: Never mind looking for corroboration. Tell us the facts.

A.—That is, that letters came here to Edmonton asking for information.

Q.—When did you get them? When did they come? A.—In January.

Q.—What time in January? A.—About the beginning of January.

Q.—And did you then personally get in touch with the Mennonites? A.—Yes, sir.

Q.—When? A.—About March—about the end of March—the latter end of March.

Q.—And when you wrote this letter you had nothing from the Mennonites but Departmental
letters received from them? A.—Knowing that they were coming in January—I knew it then.

Q.—When did you know they were coming in January? A.—I knew by the correspondence.

Q.—What correspondence? A.—I said it was enquiring—that they were coming into the
country.

Q.—Where is that correspondence?

MR. BOYLE: What is the date of that letter?

MR. EWING: January 9th. You have been three days looking for correspondence.

A.—Well, there it is. (Producing papers.)

Q.—Will you just look up for me and tell me how it is you learned the Mennonites were
coming, in January? A.—Yes, if those letters were here. We only had five minutes or so of a
session the other day.

Q.—This is a letter addressed to the Minister of Agriculture by Michael Scott, dated 20th December, 1917, (reading):

“Minister of Agriculture,
“Edmonton, Alta.

“Dear Sir,

“I represent here a large colony of people living in the United States who are looking for a site for colonization purposes and this month I spent several days with them travelling through your province. Among others we visited the Olds district and were rather impressed with the locality, but did not have time to visit the Experimental Farm at that place and I therefore write to ask for some information. Although the settlement was large, we noticed that there was only one elevator there, consequently assume that little or no wheat is grown in that district. If this is so, why not? How is the rainfall there and does grain ripen as well as it does further south and east? What is the country best adapted for and how is the water supply?

“These parties require from 10,000 to 20,000 acres and if you know of any locality where this can be obtained *en bloc* I would be glad if you would give me general particulars. You might send me a map of Alberta and any literature you have at hand. It is probable about 50 families would settle and as they are wealthy and industrious people they will be an acquisition to any province where they may settle.

“Yours very truly,

“MICHAEL SCOTT.”

Q.—Had you any other correspondence besides this? A.—This is the reply. (Produced.)

Q.—Who wrote that reply? A.—Well the letter is dictated by me.

Q.—And you signed it, did you? A.—Yes, sir. Well I presume I did—yes.

Q.—This is all the information which you had, is it? A.—At that time—yes, sir.

Q.—Or it was all the information which you had up to the 9th of January? A.—Yes, sir.

“January 9th, 1918.

“Mr. M. Scott,

“203 Enderton Building,
“Winnipeg, Manitoba.

“Dear Sir,

“Yours of the 20th ulto. addressed to the Hon. The Minister of Agriculture, received.

“In reply would say that maps and a package of literature relating to the Province of Alberta have been mailed to your address, under separate cover.

“In answer to your query re the Olds district, would say that it is very well adapted to mixed farming, the soil is fertile and there is sufficient rainfall each season. Large quantities of hay are shipped from there and the dairy industry is increasing from year to year. A large amount of grain is fed to live stock, which accounts for there being fewer elevators than in some other districts; more wheat is grown farther south.

“Trusting that you will find the maps and literature useful, I am,

“Yours truly,”

Q.—And on the strength of that you wrote the letter to Mr. Taylor, of Calgary? A.—Yes, sir.

MR. BOYLE: You explained to the committee the last day that you had had some conversation with Taylor? A.—Yes, sir.

Q.—Was that prior to writing this letter referred to by Mr. Ewing or subsequent? A.—It was previous.

Q.—It was previous? A.—Yes. He told me he would like if I knew of anything that would be suitable to take up for a large colonization company.

Q.—And you had discussed that question of commissions with Mr. Taylor or with his agent, had you not? A.—Yes, sir.

Q.—At Calgary? A.—Yes, sir.

Q.—Prior to writing this letter? A.—Yes, sir.

Q.—This letter is written on the letterhead of the Department of Agriculture? A.—Yes, sir.

Q.—Where was that letter written? A.—In my own house.

Q.—You keep a typewriter there, do you? A.—Yes.

Q.—Did you typewrite it yourself? A.—No, sir; my daughter.

Q.—You did that because it was a private business entirely and you wished the reply to come to your house? A.—Oh, yes; that was private.

MR. BOYLE: The address given on that letter?

A.—I have my own private address on it.

MR. EWING: 10018 86th Avenue? A.—That was my home. It was then. I did it outside of the Department.

Q.—Altogether? A.—Yes, altogether.

Q.—And this is your signature (letter produced). A.—Yes, sir.

Q. Who was the other party that you had? A.—This was the same party.

Q.—That was the Mennonites? A.—Yes, sir.

MR. BOYLE: He did not say in his letter that he had another party, did he?

MR. EWING: No. I am asking who this party was. I thought it was another party.
(Reading letter.)

"Edmonton, Feby. 7th, 1918.

"E. E. Taylor,
"814 Centre Street,
"Calgary, Alberta.

"Dear Sir, Re Reid & Baxter Ranch.

"Not having heard from you since your letter of January 16th, thought best to write and
"enquire if the Reid & Baxter Ranch lands were sold.

"Please advise as early as possible how things are proceeding.

"I feel sure that a party who has been writing me can handle it if it is yet open for purchase.

"Awaiting an early reply,

"I am, Yours truly,

"R. J. DALEY.

"P.S.—Have you any other lands similar in quality and number of acres? If so, give me
"particulars at once.

"Please address me:

"10018 86th Ave.,

"Edmonton."

MR. EWING: When did you visit the Reid and Baxter Ranch?

MR. BOYLE: I think if you have the letters that were written by Taylor to Daley in
fairness to the Committee you ought to put them in.

MR. EWING: I have some letters and I have no objection to putting them in. I got a
complete file of them. I have all that were delivered to me.

Q.—Where are Mr. Taylor's letters to you? A.—I could not say.

Q.—Can't you form any opinion? A.—I may have them at my house. I haven't them here.

Q.—Didn't you think you were sufficiently interested in this matter to look them up? A.—
I could—yes.

Q.—Didn't it occur to you to look them up? A.—No.

Q.—Well it must be a casual sort of business. And you kept no copies of the letters you sent?
A.—I think most everything was just a penned letter.

Q.—Oh, no—the last two? A.—I say most of them.

Q.—Oh, no, I will show you quite a few; in fact, the majority of your letters are typewritten.
And when you typewrite letters at your own house do you keep copies of them? A.—Not always.
Sometimes I do and sometimes I don't.

Q.—Was this a matter that you thought it wise to keep copies of your letters? A.—I did
not take it up in any particular way, that way.

Q.—You have no recollection whether you kept copies or not? A.—No.

Q.—And you do not know where your letters in reply are? A.—I might get them if they
are at the house. But I have no regular filing system—no regular method of keeping the letters.

Q.—How many acres of land were the Mennonites going to buy? A.—Well I do not know.

Q.—You have the letter here—10,000 to 20,000 acres? A.—Well I would suggest 15,000
acres.

Q.—How much commission were you asking? A.—Read the letter. It states that. It
does not say I was asking it—the letter to Mr. Taylor.

Q.—We will come to that again. Is that a copy of a letter you received, do you think?
(Produced.) A.—That is an answer to the other letter. I got that letter from Mr. Taylor.

Q.—Now I will read this letter. It is a copy of a letter from Mr. Taylor to Mr. Daley.
A.—Referring to another property.

Q.—Bearing date March 14, 1918. He refers to a property which he says "Would like you
to submit this to your people believing that it is the cheapest piece of land offered today outside
of the Baxter Ranch." (Reading letter.):

"March 14, 1918.

"R. J. Daley, Esq.,
"10018 86th Ave.,
"Edmonton, Alberta.

"Dear Sir,

"When last in Calgary you asked me look up a block of land for you that would suit a syndi-
"cate of large capitalists.

"Today I ran across just such a proposition as I think would appeal to your people, of 8,600
"acres, of which 7,000 acres is choice wheat land at the price of \$21.00 per acre with \$5.00 per acre
"down and the balance over five years at 6%.

"It is situated in Tp. 14—Rg. 21—W. 4th Mer. Champion district, ten miles west of Retlaw
"and Travers and fifteen miles east of Champion, with good waggon roads to any of these places
"and a near future probability of railroad accommodation.

"The land is all raw level to semi-rolling land, sandy loam with clay subsoil, most adaptable
"for best wheat raising in the South.

"There is twelve miles of two and four wire fencing with cedar posts, as indicated on the
"township plat in red lines surrounding the sections. The Little Bow River runs through
"Sec. 27-26 and a draw through Sec. 13. These are the particular sections which are not the

"best owing to banks and coulees. There is a small frame house on the land value about \$400.00, but no other improvements.

"Would like you to submit this to your people fully believing that it is the cheapest piece of land offered in the market today outside the Baxter Ranch.

"Wheat lands just now are all the rage and everybody is excited over the big crops and prices. Lands generally speaking in the neighbourhood of this property in cultivation are worth from \$35.00 to \$75.00 per acre.

"The owner states today that he will cut out the rough parts along the river and will put in the good sections N. & S. the river at \$25.00 per acre. You will notice on the plat these are all marked good.

"Would ask you to take up this matter with your clients at once and be good enough to advise us results.

"Respecting the Baxter Ranch I think you can safely conclude that this piece of land is off the market as we are advised by Mr. Larson that he means to take it up independent of any leases or handicaps that Mr. Burns has placed upon it.

"With kind regards and best wishes, we are,

"Yours truly,

"THE WESTERN NATURAL RESOURCES CO.,
"per _____Mgr."

Q.—Who were the large capitalists? A.—The Mennonites.

Q.—I presume the Western Natural Resources Company—was Mr. Taylor manager? A.—I presume so.

Q.—He would sign as manager? A.—Yes.

Q.—You did not tell me when you went out to look over that ranch? A.—About the middle of May.

MR. BOYLE: Which ranch are you referring to now?

MR. EWING: The Baxter and Reid Ranch. And there was with you, Mr. Scott?

A.—No, sir.

Q.—Who was with you? A.—Mr. Taylor and three of the delegates of the Mennonites.

Q.—That was all, was it? A.—I think so.

Q.—Did you visit the Olds Demonstration Farm? A.—Yes, sir, at the request of the delegates. It is not the custom to take any settlers to any farms in the vicinity, usually, but they liked the appearance of things and asked to go to see it, so we went in.

Q.—Was there any talk between you and Mr. Taylor as to the advisability of locating this colony in that particular section of the country? A.—Nothing more than it was very suitable for their purpose. And it was.

Q.—Oh, yes. You said so. But was there no other reason advanced why they settle in that particular district? A.—Not that I know of.

Q.—Was it not suggested that it would be near the demonstration farm? A.—Not especially. If it were it would not be unnatural because that might be said of any land near any demonstration farm. But I have no knowledge of any special—I am saying in that case—that I know of.

Q.—Will you just answer my questions?

MR. BOYLE: Wouldn't it be fair to ask him what representations he made or what representations Taylor made?

MR. EWING: I will come to that, but I do not want the witness when I ask him a question to start in to say it was a natural thing to say it.

MR. BOYLE: I do not think it was clear in the witness' mind; it was not, anyway, in mine, as to whether you wanted to know what he stated to the delegates, or what Taylor said to the delegates, because they were both making representations.

MR. EWING: Now that we understand each other, Mr. Daley, I am asking whether anything was said by anybody at that time with reference to the advisability of locating the colony in that particular part of the country?

MR. BOYLE: Just give it as far as you remember.

A.—I would not be able to say for sure whether there was any emphasis laid on that. I would not say it was not said that being near a demonstration farm was a good feature.

Q.—Was there anything said to you about the advisability of being in that locality, on which no emphasis was put? A.—Yes, I remember that.

Q.—What? A.—While we were at the station at Olds I think the railway agent or someone of the people connected with the railway happened, in talking with these men, to point out the fact that—I think 18—carloads of hay was loaded for shipment and it was one of the points exceptional—that is the exceptional feature, that was discussed there, was that so many carloads—they named them; it was a wonderful shipping point for hay and hogs because the fact was stated that a certain number of hogs in a given period—this was pointed out to them as a good feature of the district; and also of the fact of the dairying that was done in the district. These were the things that were talked over, and that was one of the strong points of the district.

Q.—Can you recall if anything was said by anybody in your hearing, or by you, in connection with the advisability of settling this colony in the constituency of the Minister of Agriculture? A.—It was not said by me. If anyone else, I cannot recall it. No, I have no knowledge; I cannot recall that. It was not said by me.

Q.—Nothing of that kind was said by you? A.—No, sir.

MR. BOYLE: Did the Minister of Agriculture know that you were showing these men around in that territory?

A.—He did not, not that I know of. He did not speak to me about going there. He did not speak of the Olds district or of any feature of it.

Q.—Did he know at that time that you were in charge of these people? A.—I do not know that he did. I cannot say that, but I don't think he did. The only one who gave me instructions was Mr. Hotchkiss and I did not discuss it with the Minister and he made no reference to this or that place; in fact, did not discuss it at all.

MR. EWING: What instructions did Mr. Hotchkiss give you? A.—Only just to go wherever I knew there were any places that would be suitable.

Q.—Suitable for what? A.—For these colonies of Mennonites—to go out with them.

Q.—Did he know where you were going out with them? A.—Not specially—no, not particularly.

Q.—You did not tell him you were going out to see a ranch near Olds? A.—I might have.

Q.—Well, did you? A.—No, I do not think I did.

Q.—Did the delegates come to Edmonton? A.—They were in Calgary.

Q.—Did they not come to Edmonton? A.—Yes, they were.

Q.—When? A.—In the latter part of April, I think.

Q.—That was before you went out to see the—— A.—Yes.

Q.—Who did they come up to see? A.—To see Mr. Hotchkiss.

Q.—Did they see anybody else in the Department? A.—They did not see Mr. Marshall; he was not home; he was not in the city.

Q.—Did they see the Deputy? A.—They may have.

Q.—Did they see you? A.—Yes; I was in Mr. Hotchkiss' office when they were in.

Q.—You knew they were coming, did you? A.—I knew when they came—yes.

Q.—Did you know they were coming before they arrived? A.—Well I was expecting they would be there.

Q.—What led you to expect that they were coming? A.—Because I had been there—I had been in Dakota previous to this, as I said to you.

Q.—Did they tell you when they would come up? A.—No, but about the time.

Q.—Did you receive any letter from them? A.—No.

Q.—You did not? A.—No, not that I have any knowledge of.

Q.—Where did they stop while they were here? A.—I believe they had meals mostly at a restaurant. I don't think they were over night; they were just here in the morning and were off in the afternoon's train.

Q.—They did not stop at any hotel? A.—No.

Q.—Where did they go when they left here? A.—To Calgary, south.

Q.—Did you go with them? A.—Yes.

Q.—Where did you go? A.—The first place we went to the C.P.R. lands in the vicinity of Brooks and Bassano.

Q.—And then where did you go? A.—Well I was not with them then for quite a little bit. I think the next time was going up to Olds.

Q.—In May, when you went up to Olds? A.—Yes.

MR. DAVIS: Where did they stop in Calgary?

A.—Well, I don't know where they had a stopping place. I know where they had most of their meals—generally running in and out—it would be, it is called The Palace Restaurant, near the C.P.R.

Q.—Did they stop there overnight? A.—They might, but I do not know for sure; some of them might.

Q.—You have no knowledge of where they stopped? A.—No, not regularly.

Q.—You did not pay their bills while in Calgary? A.—No, sir.

MR. EWING: While you were travelling with them you paid your own expenses did you? A.—Yes. They had nothing to do with that.

Q.—They were paid by the province? They had nothing to do with that? A.—No.

Q.—Did you pay any of their expenses? A.—No, sir.

Q.—Or did the province pay any of their expenses? A.—No, sir.

Q.—Or Mr. Scott's? A.—No, sir.

Q.—Will you look at that signature and tell me whether that is your signature or not? (Letter produced.) A. (after reading letter).—Yes, sir, that is my signature.

Q.—This is your signature, too? A.—Yes, sir, I should think so.

Q.—Well is there any doubt about it? Look at it? A.—Yes, it is.

Q.—You are sure of it, now? A.—Yes.

Q.—This is a letter dated at Grand Forks, North Dakota, dated March 31st, 1918, to Mr. Spaulding (reading letter):

“M. L. Spaulding, Esq.,
“303 13th Ave. East, Calgary, Alberta.

“Grand Forks, North Dakota,
March 31, 1918.

“Dear Mr. Spaulding,

“I sent you a telegram from here today which you will have before this.

"Mr. Michael Scott accompanied me to South Dakota to meet with several of the 'Colony people.' We had to go to several different locations, some were 50 or 75 miles apart; this occupied considerable time, especially having several long drives over country roads.

"We have a fairly good prospect of selling the Judson farm and the adjoining lands. Mr. Scott was really surprised to learn on arrival at the colonies that some agency had placed the 'Mormon Block' of land said to contain 130,000 acres (south of Raymond) before them, and had come down about March 15th or 18th along with a member of a Mennonite Church in Manitoba, and three or four of these people in Dakota had gone back with them. However, nothing will be decided, no purchase will be made until the leaders go up with Mr. Scott and myself. We expect that three or five of the chief men who are empowered to do business will be with us about Wednesday next and then proceed to Alberta. And will visit several places that have been submitted to them by Mr. S. and myself through him.

"Just here while referring to that '140,000 acre tract,' I wish to say that it was not told to me by Mr. Connor, or Mr. Rowan, or yourself, that it was the lands owned by the Knight Company, and I thought it was another large parcel of dry prairie range lands lying away south of Medicine Hat. The only 'description' that I had was that it was 'Somewhere in Southern Alberta.' If your people really knew where it was located it was a mistake to withhold it from me. What I fear is this, that we had not specified anything sufficient by name, or legal description to give us a claim to that particular parcel of land. No doubt you will remember how frequently I spoke about these things and my letter to you laid special emphasis on these items. I had a talk with Mr. Scott re the 11,500 acre tract, telling him that your people at Calgary had an option upon it, he then got the letters out of his safe and I read it over, it must be the same property for they described having 2,000 sheep at same price per head that must be taken with the land.

"His letters from that agency were early in the year and prior to the time we were discussing these tracts of land. (They also claimed to hold option.) We will write Murchison Brothers, relating to the commission matter from Winnipeg re the tract submitted by them.

"I find that these leaders place implicit confidence in Mr. S. and the probability is that they will appoint him their special agent to make the purchases, or aid them in the selections. Therefore we will receive a fair chance in anything that we can submit that will suit them.

"You will receive a telegram from me two days ahead of our arriving to give plenty of time in arranging where to meet.

"Yours truly,

"R. J. DALEY."

"P.S.—(See separate slip.)

Q.—"Mr. S." is Mr. Scott? A.—Yes, I think so.

Q.—And this is the separate slip referred to is it? (Produced.) A.—I presume so—yes.

Q.—Did you do the underlining? A.—I don't know. It is a hard thing always to recognize; I could a signature but I could not a mark.

Q.—Well, if a signature is difficult to identify, a mark would be? A.—Well I haven't any doubt in the signature, have I?

Q.—Well, you have a doubt in your mind about the mark? A.—Well I have.

Q.—Have you any doubt in your mind that someone else might have underlined it? A.—Well, I have. I would not like to be answerable to them.

Q. (reading)—

"P.S.

March 31, 1918.

"To Mr. M. L. Spaulding,

"Confidential.

"Re the prices on the adjacent lands near the Judson Farm. No doubt Mr. Judson will arrange with the owners to protect him for some com.

"Tell Messrs. Connor & Farleigh and Mr. Rowan to arrange something definite if possible so that an average price may be figured out by them. I expect there will be different owners to deal with and each will have different prices as the lands are not all of equal value but be sure that at least two dollars per acre is quoted over net prices from Mr. Judson on these outside lands. If the property suits them they will not quibble about a few dollars per acre. If the prices that Judsons quote are low enough it may be possible to secure four or five per acre on parts of it but have it understood that the division shall be upon same basis of sharing as arranged re Judson's

"(Over)

"Continued.

"That is to say—Mr. Scott and myself are to receive half of the whole commission they get from Judsons. And have it understood that Mr. Scott and myself are to receive half of whatever commissions are realized from sale of any of the adjacent lands.

"R. J. DALEY."

Q.—You wanted it understood that if any adjacent lands were purchased it must be arranged you would get half the commission on the adjacent lands? A.—I think that is the way that reads.

Q.—That is a fair statement, isn't it? A.—I don't know that there is any necessity of explanation.

Q.—No, I don't think there is. A.—There is, though, just one feature—that the matter about the difference in price that should be—it is not incorporated there—but the explanation makes it very much different.

Q.—There is an explanation that makes it different, is there? A.—Yes. It is only right to say it.

Q.—Well, just make it. A.—For example, the Judson Farm was by itself an improved farm—a very highly improved farm. It had 2,200 acres of cultivated and seeded land—that much in seed. All of their implements, including three fine gasoline engines, one very large—

Q.—How many acres in the Judson farm? A.—Around about 5,000 acres. And the other people, the Mennonite people, would be inclined to think, I suppose, that that would not be large enough. Now the Judson folks and I were led by others to think that a good deal of the remaining outside land could be got for as low as \$14.

Q.—How much outside land did you expect to get? A.—In the vicinity of maybe 6,000 or 8,000 acres in addition to the other. I think they said it to me, that is, the men handling.

Q.—That is, perhaps, 12,000 or 13,000 acres of land you hoped to get? A.—From 10,000 to 12,000. I think I might say about 10,000. What I wanted to say was—

Q.—Well, say what you want to say and let us get on. A.—About these prices; they were agreeing to sell and the Judson people wanted to sell their property, and the matter of the outside property, Mr. Judson said he could maybe secure it because some of them had offered at times to let him have it. It was speculator lands; most of them were held by people in the United States, one person I was told I think had three sections of it and others had one and so on. Now it was a case of land that was not tillable, only a little of it, or at least it was not tilled; it might be tillable, and at \$14, or \$15 or \$16 or thereabouts an acre it was very very low and cut down to a very very low price. The idea then was—I am telling the idea I had, whether it was conveyed in the paper or not.

Q.—Well, I am not asking about your ideas. A.—But I want to say this, that if they put two or three dollars an acre more on the cheap land they could afford to take down—they could put it on an average—the matter of the Judson and the cheaper land. Supposing the cheaper land of \$14 an acre was not spoken of at \$14 or \$18 and Judson might be thrown down to \$25, and if Judsons were making on the adjacent land it might be blocked together.

Q.—But your statement in the letter is still true, that these men would not stick on a few dollars an acre? A.—If they got what they thought was good.

Q.—And you thought they should not stick on \$4 or \$5 an acre? A.—I am not saying that. The low price might be raised.

Q.—I do not care about the price of land. Just drop that. A.—Because it would make Judson's own land cheaper and if there were competitors in the market it was their interest—

Q.—You got a fair valuation for the land, no doubt? A.—Yes.

Q.—In fact you got land at a good price for them? A.—It was an unusually low price.

Q.—And still true in your opinion that they should not stick at a few dollars an acre on the land you were getting for them? A.—If they got it at those figures. I could sell it to my own relatives.

Q.—You stipulated a minimum commission of \$2.00 an acre and you thought they ought to get \$4 or \$5? A.—I said that in the letter.

Q.—What you said in the letter is true? A.—I am not denying that. But I want to qualify it. You are fair to me, generally, and we are all wanting what is the facts and what is right.

Q.—But we do not want to pad up the record with things that have no bearing on what I want to get at. A.—But you want to know the facts. For instance I had this knowledge in my mind, I had gained that thought, at any rate, I remember in the presence of these Mennonites discussing two or three propositions that Mr. Scott had independent of any that I had, I saw that they were of the disposition and it happened my judgment was right, afterwards, that they said: "Oh, well, they are asking that price, \$35, but we will cut a dollar or two dollars off that because we have the cash and they will drop that down and we will see that we get them to knock off one or two dollars." Now, the idea that I had in conveying that thought to them was to put a price that they could stand to knock down a dollar or two dollars.

Q.—That is a favourite game in the real estate business, to put a price up so that if they want to knock off a dollar or two they can still make the same. In any case, you got the \$2.00? A.—No.

Q.—But you stipulated it in your letter? A.—That was to get these people to put in that price they could stand for the knock down.

MR. BOYLE: How much did you figure on getting?

A.—About 50 cents an acre.

MR. EWING: Then this was all put up?

A.—When you are in among real estate tactics you have to adopt real estate tactics. You can quite readily see, Mr. Ewing and gentlemen, that I have been amongst real estate men.

Q.—Yes; I think you have. A.—And I would not like to say but I was just going to say, but I will hold that back.

Q.—No, don't hold back anything. A.—No, I won't, because reflections on Members of Parliament—

Q.—Oh, no, don't hesitate about that. A.—I have been amongst several kinds of people. There are other people have reputations as well as real estate people.

Q. (reading)—“But be sure that at least two dollars per acre is quoted over net price from Mr. Judson on these outside lands.” A.—Yes, so they would stand knocking back.

Q.—You thought it might stand knocking back? A.—Yes, I expect they would. I had judged my people, and it came down afterwards they were pretty hard dickerers because those are people that will say: “Well, we will pay cash down and if we don't get that we are going to get it some other place,” and that is what they did and my judgment in human nature turned out right in that case.

Q.—You thought the delegates would feel better if they had a dollar or two off? A.—Yes.

Q.—And what you said in the letter was to make sure that should not come off the commission? A.—No, I don't say that.

Q.—You say that in the letter, but you mean you did not mean that? A.—I did not mean that.

Q.—“If the property suits them they will not quibble about a few dollars an acre”?

A.—No, good land.

Q.—They would not quibble about a few dollars per acre? A.—No.

Q.—Following a natural human tendency they would want to come down a little? A.—Yes, and I thought they would, and I knew human nature, and that is what they did, and I want to say further that one of the old gentlemen who had come, said so to me; he said: “Mr. Daley, where you can, if you help us to get this as cheap as you could”—one or two things like that was said to me.

Q.—Who said it—the delegates? A.—Yes, wanted to cut it as low as they could.

Q.—And you told them you would do that? A.—I did not. I did not tell him.

Q.—Did you lead him to understand you would or did you tell him you would not? A.—No, I did not.

Q.—You just sat silent? A.—Yes.

Q.—That is a wise thing to do. What do you think they inferred from your silence? A.—I could not tell you. But that is like their disposition.

Q.—And they asked you as public man in this province employed by the Government of this country, to try and get it as low as possible, and you said nothing, but you were getting a commission from the other side? A.—Well, I have not denied that, that I was offered it.

Q.—I don't think you can, very well. A.—I did it before anyone questioned it.

Q.—Yes, I know, you hurried up to do that. Now you told me in very positive language at the last session of this Committee at the time you were examined that you had no dealings in connection with the Porcupine Ranch, and that you never heard of it? A.—Oh, no, excuse me, I never said I never heard of it, but I could not recollect but I thought, and this is right, I thought you were asking about this enquiry about the Mennonites and so far as the people of the Mennonites and the Porcupine Ranch, I know there was nothing.

Q.—What made you think I was only asking about the Mennonites when I asked if you ever had any transactions with the Porcupine Ranch? A.—My reply was that I did not remember. I thought you were referring to last year. If there was any time, any prior time, I had forgotten it.

Q.—Have you been in deals with other people for commissions before the Mennonite transaction? A.—Very little.

Q.—How much? A.—Well, some agents would say they would give me a commission if I could sell a piece, but I would not say I did not.

Q.—When did you first begin holding out for commission? A.—I do not like that word; I do not think that is fair.

Q.—Well I would like my phraseology to suit you. When did you first commence negotiating for commissions? A.—I cannot recall that exactly.

Q.—When, approximately? A.—Maybe two or three years ago. I might have sent a letter or replied to a letter.

Q.—Perhaps even five years ago? A.—Might—yes.

Q.—Perhaps even longer than that? A.—I don't think so.

Q.—What makes you think it started probably five years ago? A.—I may have been getting a little more acquainted amongst the people travelling up and down—amongst the agents.

Q.—That is the time you got acquainted with the agents? A.—Well I might have got it that way, but from memory, now, since you spoke about it the other day, I think I can recall a little about it, just from memory.

Q.—It is a good thing. What can you recall about it? A.—I think it was customary in our office in Winnipeg—I see what you think, but it is not necessary to say it, it is just a habit but I can recall—I will leave that, they do, I recall it was a very common thing in that office or in any other office of that nature, whether it is an immigration or colonization office, for people who might come from the United States or Eastern Canada or wherever it might be to say: “Could you give me any information or give me any direction or guidance where I could secure a first-rate good offer of land or lease or anything to carry cattle on or sheep on.” I have written—I want that put in the records—I have written to many and many persons asking them if they knew in their district where there was a large ranch or lease.

Q.—In the course of your duty? A.—In the course of my duty.

Q.—But I am asking about what was not in the course of your duty, about negotiating for commissions? A.—Well, that would be out of place without making enquiry.

Q.—Well, see if that is your signature. (Letter produced.) A.—Yes, sir.

Q. (reading letter)—

“459 Main Street,
“Winnipeg, Man.
April 8th, 1915.

“E. E. Taylor, Esq.,
“Western Natural Resources,
Suite 911, New Herald Building,
“Calgary, Alberta.

“Dear Sir, “Re Porcupine Ranch.

“During 1914 I had some descriptions of ranch properties from you. Today an agent called “at this office who has a client for a ranch. He read the description of ‘Porcupine Ranch’ 30 “miles west of Nanton and thinks it will suit his man. If this is on the market now, please send “me latest particulars; state what stock there is upon it, price and terms, also please state what “amount of commission you can allow for securing purchaser, and oblige,

“Yours truly,

“R. J. DALEY.

“P.S.—You also had the ‘Hand Hills’ Ranch

“Containing Freehold 1,600 acres.

“Leases 5,280 “

“School Leases 1,280 “

“Hudson Bay 480 “

“This was in Township 28 ranges 15 and 16 west of 4th. Please send particulars of this as “well as ‘Porcupine.’”

Q.—“Also please state what amount of commission you can allow for securing a purchaser and oblige”? A.—The man who came to me wanted to know what commission the party offering the place up there would give.

Q.—You were working in the interests of the agent who was bringing the purchaser? A.—Yes.

Q.—In that connection you had no thought at all in 1915 of getting any commission for yourself? A.—No, I would not say that.

Q.—What would you say, then? A.—I would not say for sure, but I think that was the inference.

Q.—On the 8th of April, 1915, the inference is that the purchaser’s agent wanted to know what commission he would get out of it? A.—I think that was it.

Q.—Can you tell me if that is a copy of the commission note you received from Mr. Taylor in reply to your letter? (Produced.)

A.—He should have said: “In case of the sale of this ranch, so much.” He directs it directly to me.

Q.—But that was not right? A.—No, not in answer to that other letter.

Q. (reading)—

“Calgary, April 12th, 1915.

“R. J. Daley, Esq.,
“Winnipeg, Manitoba.

“Dear Sir, Commission Note.

“In case you make a sale of the Porcupine Ranch at \$28,000, your commission for so selling “will be \$1,000 provided the sale is carried out on the lines laid down.

“I am, yours truly,”

Q.—On April the 15th you wrote in reply to that. Will you tell me if that is your signature? (Produced.) A.—Yes, that is my signature.

Q. (reading)—

“459 Main Street,
Winnipeg, Man., April 15, 1915.

“E. E. Taylor, Esq.,
“Western Natural Resources,
“911 New Herald Bldg.,
“Calgary.

“Dear Sir,

“Yours of 12th received, thanks for description sent. The agent who has the client told “me to-day that his man has the ready money and it may result in a sale.

“Re Commission.

“I told this agent that I was willing to divide equally anything that was received as comm. “When I stated that \$1,000 was offered to me to get a purchaser, he thought it was not enough “when divided. Therefore he wishes to know if we can be protected for anything additional

“that can be got over and above the \$28,000. That is to say as I understand it: If \$28,000 “cash is paid you can pay me \$1,000 comm. If he can get \$30,000 cash for the property will “protection be assured for this \$2,000 additional commission?

"As the time is short and he has one or two other things to submit to his man, let me have an early reply. Please make the matter re this additional comm. quite clear to avoid any misunderstanding.

"Yours truly,

"R. J. DALEY.

"Answered April 18, '15.

"No chance."

Q.—That is the same matter? A.—Yes, I believe it is.

Q.—And will you now say that this first letter referred to commission to the vendor's agent alone and not to you? A.—I did not say in my first letter to him. He replies that it was. This is following. The agent might have been talking to you afterwards.

Q.—Just read that first letter again? A. (reading)—"During 1914 I had some descriptions of ranch properties from you." That is all right. I have written to him because I knew. He must have sent me some descriptions. That is the idea I had. (Reading remainder of letter in question.)

Q.—When you were going to the trouble of reading it, why did you skip that line "Please state what amount of commission you can allow for securing purchaser"? Will you say, now, that that was intended for the purchaser's agent? A.—Yes, and if the purchaser's agent would say to me: "I will give you twenty-five per cent. out of that," that is another matter.

Q.—And by next mail on the 15th, you wrote: "I told this agent that I was willing to divide equally anything that was received as commission." So you had already told the agent before you wrote that letter that you were willing to divide anything you received as commission? A.—Well, it is near together, of course.

Q.—Yes, it is very near together. "When I stated that \$1,000 was offered to me to get a purchaser he thought it was not enough when divided. Therefore he wishes to know if we can be protected for anything additional that can be got over and above the \$28,000."

MR. BOYLE: Will you read the whole letter?

(Mr. Ewing reads letter dated April 15th, 1915, above quoted.)

Q.—There is added by pen, and I think not by your hand: "Arrived April 18, 1912. No chance." A.—I don't know what that is.

Q.—You did not write that at all? A.—No.

Q.—That is probably Mr. Taylor wrote that? A.—I don't know.

Q.—That means he thinks there is no chance of that going through? A.—I don't know.

Q.—Your idea was if he got his price anything you could get over and above that you would be entitled to?

MR. BOYLE: It seems to me, Mr. Daley, apparently the arrangement was that this party who had seen you (he was apparently an agent on behalf of a client of his to buy a ranch) was going to divide the commission—he was going to try and get a commission from the vendor, he was going to try and get a commission from the vendor, and he was to divide it with you? A.—I think that is the intent of it. The letter is quite a fair letter. At least I think the letter makes it clear—the letter does.

Q.—That is what you meant by the letter? A.—Yes.

MR. EWING: I wish to have the following letters put on the record: (Reading.)

"459 Main Street,

"Winnipeg, Man., April 27, 1915.

"E. E. Taylor, Esq.,

"Western Natural Resources,

"329 Lougheed Bldg., Calgary.

"Dear Sir,

"Yours of 23rd re Muirhead Ranch, received.

"Yesterday Mr. A. J. Richer, of Ottawa, Ont., left with a letter of introduction to you re 'Porcupine Ranch. I told him that you had other propositions also that might suit him if he did not take above.

"The thing he will kick about is all cash, he can explain this to you himself. If you quote 'at \$28,000 I am agreeable to the commission offered me in your letter of 12th of April.

"Yours truly,

"R. J. DALEY.

"P.S. Mr. Richer will stop at C.P.R. Hotel.

"459 Main Street,

"Winnipeg, Man., July 2nd, 1915.

"E. E. Taylor, Esq.,

"Western Natural Resources,

"329 Lougheed Bldg., Calgary.

"Dear Sir,

Re Ranches.

"In your letter dated June 9th you stated that you had written to the owners of the 'Porcupine Ranch' to find out if it was open for sale, price, etc. Did you get said information? Or have you any other large ranch property similar to that? I have three parties inquiring for

"ranches at present, prefer part deeded and part under lease. The man who was after the
 "'Porcupine Ranch' calls almost every day to ask what I have heard about it.

"I hope you can send me particulars of this and some others.

"Yours truly,

"R. J. DALEY."

"459 Main Street,
 "Winnipeg, Man., July 19th, 1915.

"E. E. Taylor, Esq.,
 "1024 19th Ave. West,
 "Calgary, Alberta.

"Dear Sir,

Re 'Porcupine Ranch'

"Yours of the 14th received, thanks for the information. Now I shall do my very best to
 "get the parties to go out to see it as early as possible.

"It is through another agent that I am working and when I read your letter to him, stating
 "that 'the price is now \$30,000 net cash,' he wishes to know what commission will be allowed us
 "at this end if a sale is brought about. Please let me have an early reply.

"I hope you have success with Mr. Richer.

"Yours truly,

"R. J. DALEY."

"459 Main Street,
 "Winnipeg, Man., January 24th, 1916.

"E. E. Taylor, Esq.,
 "1029 19th Ave. West,
 "Calgary, Alberta.

"Dear Sir,

"Is the 'Porcupine Ranch' west of Nanton for sale? I have an enquiry for something of that
 "size.

"Please let me have particulars as early as possible and oblige,

"Yours truly,

"R. J. DALEY."

"459 Main Street,
 Winnipeg, Man., August 11th, 1915.

"E. E. Taylor, Esq.,
 "Western Natural Resources,
 "1029 19th Ave. West, Calgary.

"Dear Sir,

Re Porcupine Ranch.

"In your letter of July 14th you say this ranch is for sale 'at increased price which is now
 " '\$30,000 (net cash).' Do you mean that the owner is to have \$30,000 net, or does that sum
 "cover our commissions?

"An agent of good reputation in this city has a client who appears to be a prospective pur-
 "chaser. The agent having secured his client through an agency in the U.S., will be obliged to
 "divide his commission. I was not aware what margin you had re the \$30,000, therefore to make
 "himself safe he has quoted a cash price of \$35,000 to include the 480 acres deeded land, the un-
 "expired time of the lease, and the horses, cattle, implements, etc., as shown on your former
 "description. I remember you mentioned in a letter some months ago that owner was not
 "agreeable to protecting above the (his) price mentioned for the property, therefore I want to
 "have this thoroughly understood so that there will not be any friction re commission.

"If the owner gets the amount he wants in cash I cannot see why he would object to the
 "commission being added. Please let me have a letter making this point quite clear.

"I have an inquiry for a large lease suitable for sheep ranch, anywhere from 15 to 25 sections.
 "Please let me have description of the largest you have where there are good conditions for sheep

"A Mr. E. R. Smith of Wisconsin, U.S., was given the description of the Porcupine Ranch
 "some time ago, he has not replied. It would be well to advise the owner so that Smith would not
 "be dealing over our heads.

"Yours truly,

"R. J. DALEY."

MR. BOYLE: Was that the same party you were dealing with here? A.—Yes.

MR. EWING: Do you know a ranch called the Buck Ranch? A.—Yes, I know of it

Q.—Where is it? A.—South of Raymond, Alberta.

Q.—Had you any negotiations concerning it? A.—No.

Q.—Did you take the delegates there to see it? A.—No, sir.

Q.—Did you discuss it with them? A.—No, sir.

Q.—You don't know anything about it? A.—Yes.

Q.—What do you know about it? A.—I was there.

Q.—How did you come to be there? A.—Because I was asked to go down there by one of
 the elders of the church.

Q.—Elders of what church? A.—The Mennonite church.

Q.—For what purpose? A.—Well, they had some trouble in regard—there was a lot of worry and agitation in the newspaper and there was a report going, there was something out that they would be liable to arrest and they wanted me to go down, because someone had told them that if they had a certificate from their church, their bishop or their elder to show that they were Mennonites that they would not then be liable to arrest or deportation, and he wanted me to see if it would be unlawful to fill their names out on a little slip; and he thought I would know, I suppose, and he sent a request that I would see him.

Q.—Sent a request to Edmonton, here? A.—No, to Lethbridge. I was at Lethbridge in my duties in the farm labourer business and one of their men met me on the street—

Q.—And asked you to do that; and you did that, did you? A.—I went down—yes.

Q.—And you went down for what? What did you go down for? A.—He requested me to go down to see that. I think it was prepared by someone—had drafted this up—and it was to see whether if they were to do that they would be doing any unlawful thing.

Q.—They wanted your advice on the point? A.—Yes.

MR. BOYLE: What was this certificate?

A.—That the person named herein is a full member, a proper member—I don't know the wording—was a member of their Mennonite fold and was in good standing in their church.

MR. EWING: And you went down to the Buck Ranch, did you? A.—Yes, sir.

Q.—How far is it from Lethbridge—about how far? A.—Well, I should think 30 miles.

Q.—You went by automobile, did you? A.—Train, I think, to Raymond, and then by automobile.

Q.—Who went with you? A.—I cannot recall that.

Q.—Did any of the delegates go with you? A.—I think there were.

Q.—And you saw the representatives there? A.—Yes, sir.

Q.—And you told them it was all right? A.—I told them as far as I could see there was nothing objectionable or improper as far as my judgment—

Q.—And you did not charge them anything for your advice? A.—No, sir.

Q.—You did that gratuitously? A.—Yes.

Q.—Who paid your expenses down there? A.—Well it was part of my regular duties. I might say I was visiting all this country at that time, seeking out information about labour business and I made it part of the work while I was there.

Q.—And any of these side trips that you took— A.—And I might also say, coupled with that, and I can recollect it very well, that there was a number of their young men that could be got for farm help, and on that very occasion I got over twenty of them to go out and take farm work, and they did go out. They went out while I was there and the next day, so that while I was there at their request it had a good result in getting a number of them to work.

Q.—It is wonderful how these things turn out? A.—Well it was right, and I am saying what is right, and I should say it, and following that I want to say, when I visited there they had purchased the Buck Ranch and they were in possession of it.

Q.—Quite so. What date was that? A.—I cannot recall, but it was harvest time—quite late harvest time.

Q.—The last of the year? A.—Yes.

Q.—You cannot place the month, can you? A.—Well it might have been September.

Q.—That is all you had to do with the Buck Ranch was it? A.—Yes.

Q.—Was the question of your negotiating for commissions ever taken up with you by the Minister? A.—No, sir.

Q.—That is—let us be clear about this—did the Minister ever speak to you with reference to your getting commissions or negotiating for commissions? A.—No, sir.

Q.—He never did. Did the Deputy Minister ever speak to you about the matter? A.—No, sir, not that I can just remember.

Q.—Well you probably would remember it if they did? A.—Well I think I know. I think, maybe I know and I may answer the question; if you do not make it clear I will anticipate. I was called in by Mr. Hotchkiss during the season and he had had the intimation that I was—was reported or maybe told him, or he heard a rumour that I was perhaps assisting in making sales and he called me in. From that time on I had very little to do in the matter. I had not anything to do with commissions from that time forward because he notified me to come in.

Q.—What time was that? A.—Some time in June, 1918.

Q.—No one connected with the Department had ever spoken to you before about commissions? A.—Not that I can recall. But whatever time I was called in and asked, and it was said there was somebody saying that I was doing something in regard to helping to make sales—the question that was put to me was this—

Q.—By whom? A.—By Mr. Hotchkiss. "Did you demand any commissions from land owners to sell their lands?" or "Were you asking owners of lands for commission to help sale?"

Q.—Did he put it both ways? A.—The way was: "Was I asking owners of lands for commission," and my reply was that I was not, because I could say that.

Q.—You could, eh? A.—No. No, I was not asking the owner. I had no dealing with owners.

Q.—Oh, I see. So you felt quite satisfied in telling Mr. Hotchkiss "No"? A.—Well I answered it that way; I had not been.

Q.—Have you been answering many of my questions that way? A.—No, sir. But I am saying what I told him. I did not tell him that I was.

MR. BOYLE: Mr. Hotchkiss did not have you under oath, I suppose? A.—No.

Q.—Do you think your were treating Mr. Hotchkiss quite fairly in not telling him the whole circumstances? A.—I did not treat him fair. I think, gentlemen, that I very clearly showed that I was doing something that I should not have done and that I did contrary to what my superiors would have me do, and of course like anyone else, I was trying to get off as easy as I could. You all, maybe, infer that is what I would do. He said to me: "Have you been asking people for commission for selling their lands?" And I said "I did not." And I did not, because I had not asked anyone.

MR. EWING: We understand the position.

A.—I told you that some agents offered to share commission.

Q.—You had dealt with the agents and he asked if you had dealt with the owners? A.—Well I told you what he asked me.

Q.—I see, all right. Now did these delegates when they were up here—do you know whether they paid their own expenses or not? A.—I am pretty sure they did. I haven't any doubt about that.

MR. BOYLE: Did you get any instructions from Hotchkiss or anybody in the Department to leave the Mennonites alone? A.—Yes, sir, practically.

Q.—And not to have anything to do with them? A.—I might say that was about the understanding.

Q.—Who did you get it from? A.—Mr. Hotchkiss.

MR. WEIR: When was this?

A.—About June.

MR. BOYLE: That was the time he called you in?

A.—Yes, I was called in and from that time on there were two reasons why.

Q.—And he asked you about the commissions and you denied it? A.—I did.

Q.—And he told you to leave the Mennonites alone and not have anything to do with them? A.—Yes, sir, and told me to let the matter drop.

MR. EWING: What matter drop? A.—To let them alone.

MR. WEIR: Why did he connect the Mennonite matter up with commissions? Did he assume you were only asking them?

MR. BOYLE: He has already told us that he had been called in and what he said to Mr. Hotchkiss.

MR. WEIR: Yes, I have got that. The witness has every confidence in my fairness. I have never asked an unfair question yet and I am not going to. I have every sympathy with this witness. I cannot understand how it is that this question of the commissions which you had denied—a natural denial in my opinion under the circumstances—why, having denied that, the question of the Mennonites being left alone, should be tied on to that. Why would he with the one breath, so to speak, ask the question, take the denial, and then tell you to leave the Mennonites alone? A.—I can make that clear, so Mr. Weir can understand. If I had heard talk that I was trying to sell them land, it would be better to keep away from them; it was not for any other purpose.

Q.—There wasn't anybody else thought over or included at the time. It was simply in connection with the Mennonite matter? A.—Yes. There were two things. From that period on we were under a very peculiar condition in getting farm labour and it put me to my severest test, because we did not want to get too many to come here because it might be a short crop—we did not want too many, but still enough. And this ought to be said—it is not known here and you may think I was totally involved and understood these Mennonites. I was two weeks in the city of Winnipeg striving hard there, meeting eastern excursion trains and pressing people to come here, and I was nearly three weeks in the city of Spokane during the time when these sales were made that were made to these people in Southern Alberta and I could not be in two places. I was more occupied.

Q.—You do not think all the responsibility of the Mennonites coming in here should be laid at your door, so to speak? A.—No, I hope not.

MR. EWING: You had a conversation with Mr. Connor at the Palace Hotel, do you remember, on the 22nd April, 1918, had you not? A.—I might. I recall a conversation—yes, sir.

Q.—You arranged to share commissions with him at that time? A.—That was before that.

Q.—You had previously arranged that? A.—Yes; he was one of the gentlemen I spoke to.

Q.—The Judson place then was listed at \$38 an acre, was it? A.—No. If my memory is right, \$29 an acre or around \$30.

Q.—And weren't you quoting it to the Mennonites at \$50 an acre? A.—No, sir.

Q.—Didn't he tell you they were going to do that? A.—No, sir.

Q.—And there was \$12 an acre left for division? A.—No, sir.

Q.—That did not happen? A.—No, sir.

Q.—Eh? A.—No, sir, it never happened with him or any other man.

Q.—Mr. Wiff was there at that time, wasn't he? A.—No, sir, not hearing that. I mean to say, there was nothing like that.

Q.—I am asking if he was there?

MR. BOYLE: Was there anything like that if anyone was there? A.—No, sir, no living person, no one. I am definite—when I say “No,” I say it.

MR. EWING: Then the Minister never spoke to you about commissions at all? A.—No, sir.

Q.—Did you ever tell any of the agents with whom you had to deal that you had to make divisions of this commission with anybody connected with the Department? A.—No, sir, I did not. I hadn't any room to say so; I never did.

MR. BOYLE: As a matter of fact, did you have any arrangement with anybody in the Department to divide commissions? A.—No, sir, never.

Q.—Or did you ever divide commissions with anybody in the Department? A.—No, sir; never, never.

MR. EWING: What I am saying now, is not the question put by Mr. Boyle.

A.—No, but I am saying to you.

Q.—I am asking you if you ever told Mr. Connor—did you ever say anything like that to Mr. Connor? A.—No, sir, I did not.

Q.—Did you ever say anything like that to Mr. Spaulding? A.—No, sir, I did not.

Q.—Or to Mr. Taylor? A.—No, sir.

Q.—Or to Mr. Gibson? A.—No, sir.

Q.—Or to Mr. Rowan? A.—No, sir.

Q.—Did you ever tell Mr. Taylor or anyone else—any other real estate men—with whom you were dealing, that the Department or anyone connected with the Department were interested in settling the Mennonites in any particular locality? A.—No, sir, I did not.

MR. BOYLE: As a matter of fact, was anybody in the Department interested in settling Mennonites in any locality? A.—They were not. I distinctly say no.

Q.—Did any person in the Department other than yourself know anything about the details in connection with what you were doing regarding settling the Mennonites? A.—No, sir.

MR. WEIR: Was there any advertising matter sent to them at any time? A.—Yes, sir.

Q.—Were there any addresses made by any prominent public men amongst them? A.—No.

Q.—Was Mr. Marshall down there? A.—No, sir.

Q.—Never spoke in that locality as far as you know? A.—No, I know he did not.

MR. EWING: Not at any time? A.—Not to my knowledge; I never heard of it.

Q.—Well, you would know? A.—Yes.

Q.—Did the Minister address a public meeting in Dakota some time shortly prior to these people coming here?

MR. WEIR: Or South Dakota?

MR. DAVIS: Either Dakotas?

A.—I never heard of it. I never heard anything about that.

MR. EWING: Never heard anything about that at all? A.—No.

Q.—Is this all the correspondence in your possession, now, that has to deal with this (referring to letters in hand)? A.—Yes.

Q.—But you were to look up at your house? A.—Yes. I did not find anything else that would bear on this question.

Q.—Are you speaking of the Departmental files or your own files? A.—I may have some scattered system in the house, but I have no regular filing system to keep them up.

Q.—And is this all the correspondence off the public files? A.—Yes.

MR. WEIR: Why should we not have all the file here? Is the file so cumbersome we cannot have it here?

MR. EWING: I do not know why we cannot have that file here.

A.—There is no objection.

THE CHAIRMAN: Mr. Ewing went through that file himself the other night—personally.

MR. EWING: No, I did not do it. I did not get a chance.

THE CHAIRMAN: I understand you did.

MR. EWING: The clerk in the Department got you these documents? A.—Yes.

MR. BOYLE: Well, any of the files will be available.

MR. WEIR: What is it proposed to do with the original documents?

THE CHAIRMAN: We can send them back to the Department.

MR. DAVIS: Can we not have the privilege of looking at them?

THE CHAIRMAN: Yes, Mr. Davis.

MR. WEIR: It is for the purpose of safety in public business—it is a little uncertain to have these in scattered pieces.

THE CHAIRMAN: Yes, it has happened before.

MR. BOYLE: I expect the file is either kept on Immigration—

MR. WEIR: Oh, there will be a dozen different things.

A.—There are two headings—Immigration and Farm Labour.

THE CHAIRMAN: I do not know what system of filing he has. They seem to be scattered.

MR. BOYLE: Did you ever attend a conference of Immigration Agents called by the Minister of the Interior of the Dominion Government in the United States?

A.—Yes, sir, I was the representative of Alberta. They invited all the provinces—the federal, that is the Minister of the Interior and Immigration Department invited all the prov-

vinces, that is the western provinces, to send a delegate or be represented there and I was selected to attend at Chicago in January, 1916. I was present representing the province.

Q.—In January, 1916? A.—Yes, sir.

Q.—Was the question of the immigration of these Mennonites taken up at that time or was it discussed? A.—That was incidental. The three main topics—

Q.—Who were present representing the Dominion Government? A.—Honourable Mr. Roche was the Minister of the Interior.

Q.—Was he there? A.—He was there.

Q.—Were any other Dominion officials there? A.—The Inspector of United States Agencies was there, the General Colonization Agent of the Western Provinces was there, and the representatives or the men managing the offices who are according to the Canadian Government agents in the various States, they were there.

MR. WEIR: That is, the representatives of Canada in the United States? A.—Yes and carrying on offices. For example, at Spokane and the Dakotas.

MR. BOYLE: Q.—Was there any published report of what took place there? A.—Yes, sir.

Q.—Have you got a copy of it? A.—Yes, sir.

Q.—Would you mind producing it to the Committee? (Produced.) This is the copy that was printed.

MR. WEIR: Is that a Government bulletin?

A.—No, it is the printed report.

Q.—The printed report of the conference? A.—Yes.

MR. BOYLE: Was the question taken up at that time in any way by any of the agents of the Dominion Government, of the migration of the Mennonites?

A.—I might say the three chief topics, or four—there were four. There was general immigration; there was on account of the war a stoppage or check upon emigration, and the calling of these together—the members or all of the agents and representatives of the provinces, was to devise ways and means of trying to offset unfavourable statements and things that were current in the United States to hinder people coming to the west and also to devise ways and means how agencies could work and what co-operation could be given by the other provinces to stimulate or aid or bring more immigrants. Secondly, there was the fact that labour was going to be a serious consideration, and what means could be devised to bring labour in. Thirdly, a very live topic—and I want to put emphasis on that if I may—is whether it was not advisable, seeing that homesteads were not so desirable, that they were distant from markets and from railways and were not so attractive to the people as they were and a great many United States people as the agents set forth very clearly, wanted more improved lands and they had capital and they would rather purchase lands. That led to the question whether it was not desirable that the Government agents would not be allowed to actually—not only give information about land that were available for such purposes, owned by large corporations that were lying idle, fertile lands that were not being used and greater production needed—whether or not it was not advisable that the agents might not have the privilege of describing and showing all such land and private-owned lands, even going so far as to sell them. Now you might say that is a finding of myself. I did not intend bringing that in, but I want to say—excuse me, sir.

Q.—That is not what we wanted. A.—I want to say to you in my own address or opening speech or words, they were these, after thanking them for being invited and so on: "I had no specific or special instructions in regard to what I should do at this conference, but am here to learn from you who are on the ground." That was for things pertaining to this immigration and labour, and after that you asked me the question, sir—well each different agent told whatever his trouble was or whatever he suggested would be helpful, and these things were threshed out. When you mentioned the Mennonites—

Q.—Were they discussed? A.—They were in this sense—one of the agents of one of the States, Mr. Koehn by name, he stated that he was a Mennonite himself and that he was working amongst the Mennonites.

Q.—Read from the report.

A. (reading).—"I am a Mennonite and have been working among the German Mennonites. "They do not believe in war." (They are men of peace.) I have visited communities of people of this faith now located in Saskatchewan and have found them prosperous and well satisfied with Canada and its government. I mingled with them in their homes. I have letters from leading elders, and some under the seal of the church, expressing their satisfaction, and have permission to publish them. The German press of the United States is trying to discourage them. Articles in reply have appeared in the Mennonite papers. I have been assisting a sub-agent from the St. Paul office to get German Mennonites to go to Canada. I have letters from many satisfied Mennonites now located there. I have visited several communities of Mennonites in Western Canada, attended their meetings and visited among their families. They seem to appreciate the fact that the Department of Immigration had trusted a German Mennonite to come and see them and find out how they were getting along. They also show their appreciation of the help which the Government gave to the people of Western Canada. Among the letters which I have are letters on which they have placed the seal of the church showing that the heads of the church have endorsed what other members have said in regard to how they were getting along."

MR. WEIR: Who is that gentleman? A.—He was a Canadian government agent.

Minnesota under the Department of Immigration. That is all I know, sir, in regard to any matter of that kind.

MR. BOYLE: You met Koehn yourself when you were there? A.—Yes, sir.

Q.—Did Koehn discuss with you the advisability or possibility of these people coming up here? A.—He said he was doing what he could and he thought that there was a good prospect of getting a large number of them into the country and they would be splendid people to work the land and be useful, and what the topic was under discussion.

MR. CAMPBELL: When did that meeting take place?

MR. WEIR: January 28th and 29th, 1916 (referring to printed report).

Q.—Did you meet Mr. Winkler over there? A.—No, sir.

MR. BOYLE: Did you meet any of the other agents of the Dominion Government at the Conference? A.—Yes, sir.

Q.—In connection with this Mennonite immigration? A.—Well it might have been just casually but not in any special way.

MR. WEIR: Did you meet the Honourable T. C. Norris? A.—Yes, sir.

Q.—Did you hear him speak? Did you hear him say this: (Reading) "We have a settlement of German Mennonites in Manitoba. There are no better settlers on earth. They are law-abiding and peace-loving citizens. I sometimes say to people when they talk about the matter, 'Just leave the word German out for a while.'" Did you hear Mr. Norris say that?

A.—Yes; that is the report of the speech. I presume it is correct because it was taken down by a stenographer.

MR. BOYLE: Did you have anything to do with getting the Mennonites up into the Peace River country? A.—No, sir, I did not have—no, I did not.

Q.—Well, you received your instructions to leave them alone? A.—Yes, sir. I did not go any further.

Q.—About what time? A.—I think in June.

Q.—What year was that? A.—This last year.

Q.—1918? A.—Yes, sir, and I want to say that I endorsed it.

Q.—Do you know anything about how they got into the Peace River country? A.—I think they were taken up by the agents—by the Canadian Government agents. In an article which was in the *Journal* at the time they were coming—I cut it out because I remember Mr. Koehn—and I was thinking I might meet him—and there was an article saying he was in Edmonton or passed through Edmonton with about twenty-four delegates of the Mennonites folks and they were taken into British Columbia and part up into the Peace River.

MR. EWING: Did you see Mr. Koehn? A.—No, I did not. But I read that in the paper and it took my notice at the time that he had twenty-four delegates with him and I never met those delegates.

MR. BOYLE: Do you know whether Koehn accompanied any of these people to Winnipeg who subsequently came up and you met them here? A.—I do not know. I have no recollection.

MR. HOADLEY: I think this Committee is being conducted in a very, very wasteful way. There is no question any of us sitting here are perfectly well aware that three-quarters of the time we have taken up this morning has been devoted to explanations by Mr. Daley. And while I have every sympathy towards him and think he ought to have an opportunity to make an explanation, I think undoubtedly he should devote himself to answering the questions, and we could get along with the business.

MR. BOYLE: Even in a court witnesses have to be allowed to make their own explanations. It may waste time but that is something you will have to put up with.

MR. HOADLEY: Then it comes to this, I will have to ask on behalf of our part in this Committee that we have night sittings because it is a question of wasting time here and we have very little time to waste if we hope to look into matters that in our opinion should be looked into.

MR. BOYLE: Well examining witnesses is rather a long—

THE CHAIRMAN: I hardly think it would be fair to stop Mr. Daley.

MR. HOADLEY: Well I think he is reading into the examination things that are not necessary at all.

MR. BOYLE: Unless Mr. Weir wants to put in that statement about Mr. Norris I do not think it is a right thing that we in this province should put that in because Mr. Norris is not here and cannot possibly be here to make any explanation as to whether or not that is correct in respect to what is said and it did not seem to me that we ought to be interested in what people of another province do, in connection with an inquiry of this kind. I think Mr. Weir could put that in if he wanted to but I do not think it ought to be put in.

MR. WEIR: I just wanted to point out and tried to establish the fact that there is a whole lot of political log rolling going on here as to whether the Mennonites are clean and decent and who is responsible and there is a disposition to tie it to one party and to another party and the thing is being made a football of and I do not think any party has got an absolutely clean bill of health in the matter, and when Mr. Roche's name was mentioned I thought it would be proper to mention Mr. Norris and Mr. Winkler also in this connection as being responsible. I do not want it in the record. I think perhaps it is only taking up time.

MR. BOYLE: The Dominion Government have control of immigration into all parts of the Dominion and the province of Manitoba have not control in their own case; neither have we.

MR. WEIR: The case is not as to who has control but who is exercising special skill and endeavour in getting these people in.

MR. EWING: There is a telegram of June the 25th I wish to put in. (Reading):

"Edmonton, June 25th, 1918.

"R. J. Daley,

"Chinook, Alta.

"Can you arrange to relieve Richardson here on the 28th instant? Reply, Charles S. Hotchkiss."

Q.—Do you remember that telegram? A.—Yes; it is in the Labour Bureau.

Q.—And you replied: (Reading)

"Chinook, Alta., June 26, 1918.

"Charles H. Hotchkiss,

"Dept. Agriculture,

"Edmonton, Alta.

"Wire received necessary to be in Calgary Saturday. Will arrive Edmonton night train.

"R. J. Daley."

MR. EWING: I want to call B. G. Connor, M. L. Spaulding, E. E. Taylor, J. L. Gibson and P. J. Wiff. These men are not connected with the Public Service but have been intimately connected with the transactions we have been investigating and they have made statements which I have been informed have been directly contradicted by the witness here and I would like to ask that they be called.

MR. BOYLE: Are these witnesses being called for the purpose of discrediting the evidence of the witness or for purposes of enquiry in connection with these matters?

MR. EWING: For the purpose of enquiry in connection with these matters.

MR. BOYLE: What I mean to say is I do not think it is a reasonable or a fair thing for this Committee to undertake to take hearsay evidence which would not be admitted in any court of law.

MR. WEIR: Isn't it to avoid hearsay evidence you are bringing them? I am not specially interested but—

MR. BOYLE: I think the Committee ought to have some idea of what they intended to establish before summoning them and paying their expenses.

MR. WEIR: How can you anticipate what they are going to say?

MR. BOYLE: Before a committee of the Legislature assumes the responsibility of summoning witnesses from the outside we have to—

MR. WEIR: Know what they are going to say.

MR. BOYLE: No, but to know that they are here for some definite purpose. I think that is fair.

MR. EWING: I cannot quarrel with that statement. The statement is made, and I am speaking solely from instructions because I do not know nor have I spoken with any of them, with reference to the statement of Mr. Daley that he did not at any time, being Publicity Commissioner of this province, say to these men that he was dividing commissions with any member of the Department—with anyone connected with the Department.

MR. BOYLE: Supposing he did say so? He has sworn on oath that there was no arrangement or any agreement to divide commissions with any official of the Department, and supposing he did tell somebody that, you only put the enquiry into the position that it would be necessary, I presume, to call every official of the Department of Agriculture and have him go in the box and swear he did not.

MR. EWING: Well, they will name the official. So I am instructed.

MR. BOYLE: Well would it not answer your purpose if you called the officials as having been named by Mr. Daley and have them examined and find out if it was so?

MR. WEIR: It would leave the outside witnesses entirely out.

MR. BOYLE: Well the outside witnesses, as I understand it, do not know anything about it except as to the statement. They would claim that he stated certain officials—that Daley had an arrangement to divide commissions with certain officials. Well now, the only way that we can get at the facts in connection with that, unless they have any documentary evidence that that is so—if they only have the evidence that Daley said so and no documentary evidence—

MR. DALEY: Which they have not.

MR. BOYLE: If you will just give us the names of the officials that Daley is supposed to have told that he was to divide the commissions with we will produce the officials and examine them and find out what they have to say. It will save the time of this Committee because we cannot get anything unless they have documentary evidence. The story, which Mr. Daley swears now is not true—

MR. DALEY: Absolutely.

MR. BOYLE: We do not get anywhere and we can clean the whole thing up by calling whatever officials you wish to name.

MR. EWING: The weakness of that is—it is equivalent to criminal procedure—you are calling the accused to deny. Now that is not even permitted.

MR. BOYLE: The weakness of the other is this—here is a man who has sworn under oath that he had no arrangement to divide with anybody. He swears under oath that he did no

say so. If Mr. Daley had told a hundred people that he had an arrangement to divide commissions with somebody and it was a lie, the calling of these people can only serve the purposes of trying to arouse in the public mind suspicion that he had an arrangement, when as a matter of fact there is nothing but hearsay evidence to establish it, which would not even be attempted to be given in a court of law, which you know yourself. You could not call a witness in that way in a court of law.

MR. EWING: I sure could.

MR. BOYLE: The only way you could do it would be by way of repudiating the witness.

MR. EWING: This is a recognized agent of the Department and he speaks for the Department.

MR. BOYLE: There is no agent of the Department except the Minister. He is an employee of the Department.

MR. EWING: He is authorized by the Department to do certain things and if in the doing of these things he does certain other things—of course if you beg the whole question by saying if it is not true then there is no possibility of any evidence making it true—but if Mr. Daley says as he now swears, both that he did not say this and if he did say it it was not true—suppose the evidence of these men should convince you, as a judge, that Mr. Daley did say it?

MR. BOYLE: Supposing he did.

MR. EWING: Then where are you at? Can you then believe Mr. Daley if he says it is not true?

MR. BOYLE: Then the only way the truth or falsity of it can be established is to call the men and put them under oath, and then decide whether or not it is true. It is absolutely unfair to an official of a government to call somebody from the outside and say "John Smith or Dick Jones told me that he had an arrangement with you that was highly improper——"

MR. WEIR: How otherwise will you establish the truth or falsity of this statement except by calling witnesses?

MR. BOYLE: These witnesses have no knowledge of the truth or falsity of it as I understand it. If any of these witnesses from Calgary have any knowledge that any official had any arrangement or tried to get commissions—why we want to get them here. We are not here to protect any of the officials. If they have any knowledge that any of these men were trying to get commissions, why we want their evidence. But if they have not anything to tell except some yarn that someone told them I do not think we ought to call them here.

MR. WEIR: Aren't you interested in the truth or falsity of this statement as to whether Mr. Daley had stated that other officials were interested?

MR. BOYLE: We are only interested in it to this extent, that it might affect our minds as to whether or not Mr. Daley is telling the truth.

MR. WEIR: Well, then, is not that important?

MR. BOYLE: Yes.

MR. WEIR: And is it not as important as in scripture that out of the mouths of a multitude of witnesses the truth shall be established?

MR. BOYLE: It does not affect the question of the other officials. The attempt is being made to attack every official by some story.

MR. WEIR: That is not my attitude. I am not trying to attack anybody. I am trying to get the truth.

MR. BOYLE: We have no objection to establishing the guilt or innocence of any officials.

MR. WEIR: I would like to establish the innocence of every official.

MR. EWING: I am given certain information and I want——

MR. BOYLE: That only shows the unfairness of your attitude in connection with the Committee when you are assuming that every official of the Department is guilty of wrong-doing and you are expecting them to come in and prove their innocence.

MR. EWING: No, I am assuming they are all innocent. But there are men prepared to come in and challenge the innocence of these men and you want to prevent the men coming in here, to establish the innocence of these men. I am not trying to establish their guilt. I am trying to establish their innocence. The Premier said: "You can have witnesses from anywhere you want to bring them."

MR. BOYLE: Yes, but we want these men, if they are going to be sent for from Calgary—we want them to be able to give evidence as to what they know.

MR. EWING: I wish to say that I do not wish to be responsible nor will I be responsible, either, for these men or any other outside witnesses that are called. Necessarily, we proceed on any information that is given to us and if it should turn out to be different to what we expect that is not our fault. I want that to be clearly understood with regard to any witnesses we call before this Committee. But I do think witnesses should be called before this Committee in order to say what they have to say in connection with this transaction. I think it is in the interests of the Government, I think it is in the interests of Mr. Daley and I think it is in the interests of proper administration of affairs that these men should come here and say what they have to say.

MR. BOYLE: I might say that I am not going to object to the witnesses being called. I am merely calling attention to the fact of the unfairness of attempting to call these men for the purposes of establishing in the public mind by mere hearsay, suspicion upon officials of the Department. My honourable friend has accomplished his purpose by mentioning it in this Commit-

tee and therefore the witnesses have to be called. We will insist on them being called, as a matter of fact, because as I say, my honourable friend has accomplished his purpose right now by mere hearsay of casting suspicion upon officials of the Department and I was only trying to get my honourable friend to be fair enough to say what officials he suspected and then come through with his evidence. And we will prove the officials and the documents and we will have the investigation right from the bottom to the top or top to the bottom, whichever way you like to take it, and get all the evidence that is available against any officials of the Department of Agriculture or any other Department. But what I do object to as being unfair is passing out in this Committee the statement that other officials, that it is suspected that other officials had an arrangement for commission, without naming the officials, and with the idea that it would cast suspicion upon the whole Department. That, I say, is the object of this kind of thing.

MR. EWING: I hope I do not take lessons in fairness from The Honourable The Attorney-General. I have information—I have been given information which I think this Committee will hear—I do not pretend to prejudge its effect, I do not pretend to say what the newspapers may say in connection with this thing. I have not mentioned the name of any official just for the express purpose that I do not want any officials to rest under suspicion, neither can it be said that all the officials rest under any suspicion whatsoever, even after these men give their evidence. And I do not know now what evidence exactly they are prepared to give. And, Mr. Chairman, I do not like these statements being made here, but I do not suppose it will make the slightest difference in that regard. I can only say that I submit it to the judgment of this Committee as to the fairness or otherwise of calling these men and I certainly think they should come before this Committee and it should be threshed out, as the Attorney-General says it should be threshed out, and if there is nothing in it that it should be shown to be nothing in it rather than have it bandied amongst the newspapers of this province and suspicion rest where it does not belong.

MR. BOYLE: I say, Mr. Chairman, that my honourable friend having made the insinuations we will insist on the witnesses being called.

THE CHAIRMAN: These witnesses are from where?

MR. BOYLE: Can we get the names and addresses of these witnesses so they can be summoned?

MR. EWING: Yes.

MR. BOYLE: Are you aware whether they would come willingly or would have to be summoned by the House?

MR. EWING: I think if they were given notice to attend they would attend.

MR. DAVIS: No; they should be summoned. Some of them do not want to come.

MR. CHAIRMAN: I draw your attention to the Rules of the House, Rule 211 (reading) "Witnesses summoned to attend before any Select Committee of the House, except in case of "Private Bills, shall be paid a reasonable sum per diem, to be determined by the Speaker, during "their attendance, and a reasonable allowance for travelling expenses, upon the certificate of "order of the chairman of the committee before which such witnesses have been summoned "but no witness shall be paid unless a certificate shall first have been filed with the chairman of "such committee by some member thereof, stating that the evidence to be obtained from such "witness is, in his opinion, material and important and no such payment shall be made in any "case without the authority of the Speaker, which shall be signified by the endorsement of the "Speaker upon the aforesaid certificate; and when any witness shall have been in attendance "during three days, if his presence is still further required, recourse shall again be had to the "chairman of the committee, and so on, every three days; and no witness residing at the seat of "Government shall be paid for his attendance."

These men are coming under expense and I would like to get that certificate from you to be in order.

MR. EWING: That is before you pay their expenses?

THE CHAIRMAN: I would want it before I summoned them.

MR. BOYLE: Of course, if you summon them you must pay their expenses.

THE CHAIRMAN: I want that certificate before I summon them.

MR. EWING: Well, there will be no difficulty about that.

Committee adjourns till Friday, February 28th, 1919, at 10 a.m.

FRIDAY, FEBRUARY 28, 1919. COMMITTEE RESUMES AT 10 A.M.

MR. CRAWFORD: Mr. Chairman, before we commence proceedings I wish to refer to the matter that was brought up at the last meeting with regard to copies of the evidence being furnished to the Committee from day to day. I think it would be in order to have that matter settled this morning, to see what the decision of the Committee is going to be in regard to it.

MR. ATKINS: Mr. Boyle was to look after that, wasn't he?

THE CHAIRMAN: I think Mr. Boyle made the suggestion he would see into that in the meantime.

MR. EWING: What about the Calgary witnesses?

THE CHAIRMAN: I notified them by letter and by telegram to be here at 10 o'clock sharp. I do not know them; they are strangers to me.

MR. MACKAY: Call them.

(Called by Chairman; no response.)

THE CHAIRMAN: There are none of them here answering to the call.

MR. EWING: What are we going to do about it? Does that settle the matter?

THE CHAIRMAN: Shall we have to send a policeman after them?

MR. EWING: I think you are all powerful in summoning witnesses to this Committee.

I think a summons is the proper way of dealing with these men.

THE CHAIRMAN: I wrote them as soon as I had the information from Mr. Davis.

MR. EWING: I move that these witnesses be summoned forthwith and by the necessary process of this Committee.

MR. RAMSEY: What date shall we summon them for?

MR. EWING: I think these men ought to be summoned. I want to give them time to get here so that if they do not appear here they will be liable to arrest.

MR. CAMPBELL: Is it necessary to send a messenger from this House for the Services?

THE CHAIRMAN: The Rules provide for either messenger, telegram or letter.

MR. MACKAY: I think Mr. Ewing's suggestion is safer. If we send an officer it would be safer. You could send the summons to the Sheriff.

MR. WEIR: Send it to the Head of the Provincial Police down there and have him serve them.

THE CHAIRMAN: Is it the wish of the Committee that the witnesses in question be summoned for Thursday next?

(Agreed.)

MR. WEIR: What arrangements as to the advances for their expenses?

THE CHAIRMAN: I have a warrant from the Speaker to cover that.

MR. WEIR: Do they know that?

THE CHAIRMAN: No, I did not intimate that to them.

MR. WEIR: Well it makes no difference. If you want them here you have a right to have them here, that's all.

MR. MACKAY: They are treated as Crown witnesses.

E. C. LUSSIER, called and sworn, testified as follows: (Examined by Mr. Ewing.)

Q.—You were an employee of the Provincial Government were you not? A.—Yes.

Q.—When did you begin to be employed by the Provincial Government? A.—About three years ago.

Q.—Can you tell us about the time you started in? A.—I think that it is in the fall.

Q.—Of what year? A.—1916, I think.

Q.—What were you doing prior to that? What was your occupation? A.—I was a teacher.

Q.—Were you teaching in the province of Alberta? A.—Yes.

Q.—Where were you teaching? A.—Around Vegreville.

Q.—Did you teach anywhere before that? A.—Yes.

Q.—Where? A.—Around Vegreville, too.

Q.—Before you taught around Vegreville—was that the first place you had in Alberta?

A.—No, I taught around Gainford in a summer school.

Q.—Where is Gainford? A.—Well, it is on the C.N.R.

Q.—How long did you teach at Gainford? A.—About four months.

Q.—And then you went around Vegreville. Where did you teach around Vegreville? A.—I do not remember the name.

MR. MACKAY: What direction was it around Vegreville—north, south, east or west? Where was it? A.—It was north of Vegreville.

Q.—About how far from Vegreville? A.—What is the next place on the railroad this way?

Q.—Well, that is west, this way. Were you on the railroad? A.—No; in the country.

MR. EWING: How long did you teach there? A.—Four months in the summer school.

Q.—Did you teach there right up to the time you went into the employ of the Government?

A.—No. From there I went to teach 11 miles from Vegreville.

Q.—To another place 11 miles from Vegreville? A.—Yes.

Q.—How long did you teach there? A.—I taught about five or six months.

Q.—How did you come to leave there? How did you come to leave teaching and come into the employ of the Government? A.—I received letters from Mr. Gariepy.

Q.—You received a letter from Mr. Gariepy? A.—I received letters.

Q.—More than one. How many letters did you receive from Mr. Gariepy? A.—Four.

Q.—Have you got those letters? A.—Yes.

Q.—Where are they? A.—In my pocket.

Q.—Let me see them. Will you produce those letters? A.—Am I obliged to?

Q.—Mr. Chairman,—

THE CHAIRMAN: Well, are those private property, or are they necessary? I do not think I can make him produce private property unless he is willing to produce it himself.

(Letters produced by witness.)

MR. MACKAY: He has got them here?

MR. EWING (looking at letters): Not much better. It is written in French.

MR. MACKAY: I will translate it for you.

MR. EWING: I think I can read French a little bit myself.

MR. MACKAY: Read it aloud so we can get the Parisian accent.

MR. EWING: Here is a letter dated the 26th September, 1916. This is a letter which you received from Mr. Gariepy? I notice it is marked "Personal."

MR. MACKAY: It is hardly subject for this Committee if it is a private letter.

MR. EWING: I notice they are all personal.

THE CHAIRMAN: I do not think I can make him produce those, Mr. Ewing.

MR. EWING: Will you tell me what the nature of those letters were? What was the purport of those letters? I think he can say that.

A.—Well, they are personal.

MR. ATKINS: Ask him if he would mind the letters being read. If he does not mind them being read it does not matter whether they are personal or not.

THE CHAIRMAN: Do you mind reading those letters? A.—No.

MR. EWING: See if I translate this correctly. "My Dear Lussier." Well, can you read that?

(Read by witness):

"Please tell me how long it takes the mail to reach you. In other terms—words—do you "draw your letters every day in Vegreville? If a delay takes place please let me know the nature "of that delay. It may chance that I have to see you and it is why I want to be sure of the length "of the notice that I would have to give you. Under a separate bundle I send you some books "and some newspapers to distract you in your solitude. Believe me, Your all devoted Wilfrid "Gariepy."

MR. EWING: That was written on the 26th of September. Now here is a letter dated the 28th September, two days later, will you read that?

"My Dear Lussier, I would have something important to communicate to you in receiving "this letter. If it is possible please call me on the 'phone long distance in stipulating that you "wish the message to be paid by me. Dear to you, Wilfrid Gariepy."

Q.—Here is one of the 5th October. Just read that out loud.

"My Dear Lussier, Because of important affairs The Honourable Wilfrid Gariepy wishes to "meet you in Vegreville at the Hotel Cyre next Monday the 9th of October. This day being a "holiday for all schools I hope that it will be easy for you to acquiesce with my demand because "the Honourable Minister is very anxious to meet you. He will be there either Monday in the "afternoon or at night."

Q.—Who signs that letter? A.—I do not know if it is Briere or Brier.

MR. MACKAY: A. Briere.

MR. EWING: I notice the same letter was addressed to you to the secretary-treasurer of School District No. 693? A.—Yes.

Q.—You received those letters? A.—Yes.

Q.—And what did you do when you got those letters? A.—I came to meet him.

Q.—At Vegreville? A.—Yes.

Q.—Did you meet him? A.—Yes.

Q.—What took place? A.—At the station?

Q.—I know you met him at the station, but what took place? Where did you meet Mr. Gariepy? A.—At the station.

Q.—And what took place there? What happened between you and Mr. Gariepy? A.—We spoke.

Q.—I know you spoke, but what did he say? A.—I asked him what he wanted.

Q.—And what did he say he wanted? A.—Well he said, "You will come with me."

Q.—He said you would come with him where? A.—To Edmonton.

Q.—For what purpose? A.—To work for him.

Q.—To work for him in what way?

MR. MACKAY: Do you mean in his Department here in the Buildings or where? A.—No, he did not speak about that.

MR. EWING: I want you to be frank and tell us everything that happened. He did not say "Come with me"; he told you what he wanted, didn't he? A.—Yes.

Q.—What did he tell you he wanted? A.—Well, he is my class mate.

Q.—And therefore he talked more friendly to you I suppose than he otherwise would? A.—Yes.

Q.—And what did he say to you? What did he say he wanted? A.—Well, he said he wanted me to work for him in the coming election.

Q.—That was in October, 1916. Did you agree to that? A.—No.

Q.—What? A.—No.

Q.—What did you say to that? A.—Well, I said that I couldn't.

Q.—That you could not do it? A.—No.

Q.—What did he say? A.—Well, he said that I should.

Q.—Yes. Well, you came to Edmonton with him, did you? A.—With him?

Q.—Yes, at that time? A.—No, sir.

Q.—Did you comply with his request then to work for him in the election, ultimately, I

mean? A.—Well, I told him, I said, "I am a school teacher and I have a contract with a school and I could not leave them."

Q.—You told him you had a contract with the school and you could not leave it? A.—Yes.

Q.—And what did he say? A.—He said that was not a reason.

Q.—Why wasn't it a reason? A.—Because he said that I could get a certificate from a doctor.

Q.—Did he mention any doctor from whom you might get a certificate?

MR. MACKAY: He did not mean a prescription, did he?

MR. EWING: Did he mention any doctor? A.—Yes, Dr. Boulanger.

Q.—Did you go to Dr. Boulanger? A.—Yes.

Q.—Did Mr. Gariepy go with you? A.—No.

Q.—You went alone? A.—Yes.

Q.—Did Dr. Boulanger examine you? A.—Yes.

Q.—Were you in your ordinary good health at that time? A.—Well, I am never very well.

Q.—But you were well enough to teach school, were you not? You were not in any worse condition than you were immediately before Mr. Gariepy saw you? A.—No.

Q.—What are Dr. Boulanger's initials? A.—I do not know.

Q.—Where is he a physician? A.—In Vegreville.

Q.—Did you go the day Mr. Gariepy saw you? A.—No.

Q.—You went some day subsequently? A.—Yes.

Q.—Have you got that certificate? A.—No.

Q.—Where is it? A.—I lost it.

Q.—What did it say? A.—Well, it said that I needed a few weeks' holiday.

MR. MACKAY: Needed the fresh air.

MR. EWING: And you took that to your Board then, did you—the school trustees? A.—Yes.

Q.—And they gave you a few weeks' holiday and what happened? A.—Well, I left.

Q.—They let you out of your contract, did they? A.—Well, I didn't speak to them. They were Ruthenians, and one night I put on my door that I was sick and I left.

Q.—Your idea was that you were too sick to work for the school district but you were well enough to do the work that Mr. Gariepy wanted done? That was the idea of it? A.—Yes.

Q.—You then came to Edmonton, did you? A.—Yes.

Q.—About what time did you come to Edmonton? A.—Well, a short time afterwards.

Q.—And what happened when you came to Edmonton? A.—Well, I met Mr. Gariepy.

Q.—And what happened when you saw Mr. Gariepy? A.—Well, then he told me that there would not be any elections.

Q.—He said there would not be any elections? A.—Yes.

Q.—But he had told you in Vegreville that there would be? A.—Yes.

Q.—And what were you going to do then when there were not any elections? A.—He sent me to Lac la Biche to stop those that were working.

Q.—Did you go to Lac la Biche? A.—Yes.

Q.—Did you then go on the payroll of the province? A.—No I am not sure, but I think that I had a pass.

Q.—On the railway? A.—Yes.

Q.—But about the time—did you then commence drawing your salary? A.—No.

Q.—Did Mr. Gariepy arrange with you the salary you were to get? A.—Not then.

Q.—When did he arrange that with you—later? A.—When I came back from Lac la Biche.

Q.—When did your salary start—before you went or after? A.—After.

Q.—Did anyone go with you to Lac la Biche? A.—Yes, I think Mr. Verreault went.

Q.—And you went to stop those who were working up there. That is, working in the election? A.—Yes.

Q.—What did you find when you got to Lac la Biche? A.—Well, I did not know anybody; they were all strangers to me but Mr. Verreault.

Q.—Well, who were the men you were to stop working? A.—Well, two men, but one I do not remember his name. The other one was a man by the name of Berril.

Q.—He was one of the men you were to stop? A.—Yes.

Q.—Cannot you recall the other? A.—No.

Q.—If you try real hard, can't you remember? A.—No, because he was a perfect stranger to me. I remember Berril because I met him after.

Q.—Was Berril an employee of the Department? A.—Yes.

Q.—What was his business in the Department? A.—Well, writing notices.

Q.—What kind of notices was he writing? A.—Well, I think wild land.

Q.—Did you stop him working? A.—Yes.

Q.—Where did you find Berril? A.—He was at Lac la Biche.

Q.—What was he doing? A.—Well, when I met him it was at night.

Q.—He was not doing anything. What had he been doing? A.—I do not know.

Q.—What did you tell him to do? A.—Well I told him that there would not be any elections, therefore I had orders to tell him to come back right away.

Q.—Did he come back? A.—Yes, we came back together the next day.

Q.—Did you see the other man whom you spoke of? You spoke of another man whom you

were going to stop working. You were sent out to see two men? Berril was one and the stranger was the other. Did you see the other man? A.—Oh, yes.

Q.—And did you stop him? A.—Well I told him there would not be any elections.

Q.—You told him you had orders to say there would not be any election and he was to stop working? A.—Yes.

Q.—Did he come back to town with you, too? A.—No.

Q.—He stayed out there. Can you tell us about what time of the year that was? A.—It was in the fall.

Q.—Well, then you and Berril came back to Edmonton? A.—Yes.

Q.—What happened when you came back to Edmonton? A.—I went to see Mr. Gariepy.

Q.—You went to see the Minister? A.—Yes.

Q.—And what happened there? A.—I told him that since there would not be any elections that I wanted to go back to my school.

Q.—And what did Mr. Gariepy say? A.—He said: "You will stay with me."

Q.—And what did you say to that? A.—Well, I said that it was not prudent.

Q.—It was not prudent. And what did Mr. Gariepy say? A.—He said that he could be a sport; he would face the music.

Q.—I do not understand this conversation. Mr. Gariepy wanted you to stay with him and go in the Department and work there and you said you wanted to go back to your school? A.—Yes.

Q.—You said it was not prudent? A.—No.

Q.—Why was it not prudent? Why was it not prudent? I wish you would answer freely. Why was it not prudent? A.—Because I am a clergyman.

Q.—And you mean by reason of that you did not care to come back to work in the Department? A.—No.

Q.—Can you give a reason for that? A.—Yes, because he is my class mate and I did not want to embarrass him.

Q.—I still do not understand. How would that embarrass him? A.—Because I am a clergyman.

Q.—Would it embarrass Mr. Gariepy to have a clergyman working around him? A.—Oh, yes.

Q.—In what way? A.—Well, because the clergy would not favour such a move on his part.

Q.—You mean the other clergy would not favour his retaining you in his Department? A.—No, sir.

Q.—Did you explain that to Mr. Gariepy? A.—Yes; that is why he said: "I could be a sport; I could face the music."

Q.—He meant he would keep you in spite of the disfavour of the clergy? A.—Yes, and I stayed because he promised me that he would resist them, otherwise I would not.

Q.—That is, you undertook to go to the Department because of Mr. Gareipy's promise that he would protect you from any influence of the clergy? Is that what you say now? A.—Not protect me; I did not need any protection. But I explained to him. I said: "It is a question of principle, you have to resist if you take any ecclesiastical interference or let me go back to my school."

Q.—You mean he had to resist—either you would go back to your school or he would give you his promise to resist ecclesiastical interference? A.—Yes, that is it.

Q.—And you came to an agreement on that point, did you? A.—Yes.

Q.—And you stayed? A.—I stayed.

Q.—What salary were you to receive? A.—\$100 per month.

Q.—Starting immediately, I suppose? A.—Yes.

Q.—Who paid your expenses on your first trip to Lac la Biche, do you know? A.—I do not think—I think I was given a pass and I do not think there was anything more.

Q.—You just travelled on pass? A.—Yes, you see I went that very next day I came back.

Q.—Your expenses were trifling, anyway, I suppose? A.—Oh, yes.

Q.—And you started in to work in the Department. That was sometime in the fall of 1916? A.—Yes.

Q.—What work did you undertake in the Department? What was your work? A.—Well, I began to write wild land notices.

Q.—How long did you continue writing wild land notices? A.—Well, quite a long time.

Q.—By the way, what were those wild land notices? A.—Well, they are notices that we send to those that are taxed, you know.

Q.—Was that the assessment? Were you in the Assessment Department? A.—Well at first they began to make me write those notices like the others. We were all writing notices and sending them out.

Q.—How long did you continue writing notices? A.—Well a few months.

Q.—And what did you do when you stopped writing notices? A.—Well, then I was appointed Wild Land Assessor and then they took me down as Wild Land Assessor.

Q.—You then went into another branch, did you—the assessor's branch? A.—Yes.

Q.—And were you given a district? A.—Yes.

Q.—Where was your district? A.—District 12.

Q.—But where is District 12? A.—Up in the north.

Q.—What part of the north? A.—From Lac Ste. Anne to the Arctic Pole.

Q.—You went north indefinitely? A.—Yes.

Q.—How long were you assessing there? How long did you stay in that branch? A.—A few months.

Q.—What were you doing while you were in that branch? A.—Well, I was preparing my assessment lists.

Q.—Were you assessing without seeing the land at all, or did you go out and see the land when you assessed? A.—We went out to see the land.

Q.—In all cases? A.—We prepared our lists. I was a new man. You will have to understand that.

Q.—You did not see all the lands you assessed, did you? A.—Oh, no.

Q.—You made the lists in the office? A.—Well, I was in the office with the others. I was a new man and I would go to my fellows of course and I would question them and try to prepare my list as well as I could before I left.

Q.—I understand that. You made up your lists as well as you could with the assistance of your fellow employees; and then what did you do? A.—When my list was made up I was sent out and I was given some names.

Q.—You were given some names by whom? A.—By the Department and by my fellow workers to take. There are some that know the province very well and they give you the names and they give you information, and if a man knows very well his district, well you go to him and you ask him about the land and he tells you what he knows and if you consider that it is good information you follow his advice.

Q.—You stayed a few months. What did you do after the expiration of the few months? A.—Well, in the end of February, I think, or in the beginning of March—I am not sure about the dates.

Q.—I understand that. A.—I do not swear that these dates are correct.

Q.—What happened in February or March or whenever it was? A.—Well, Mr. Gariepy called for me.

Q.—Mr. Gariepy called for you to his office? A.—To his office—yes.

Q.—And what happened? What did you say or what did he say? What did he want you for? A.—He said he wanted to send me to his District, Beaver River.

Q.—Was that in your assessment district? A.—Yes.

Q.—Is all of Beaver River in your assessment district? A.—No, sir. But Lac la Biche and Plamondville and Grandin.

Q.—The western side of it was in your district? A.—Yes.

Q.—The other part was in what district? A.—Mr. Briere's, I think.

Q.—What did he want you to go up there for? A.—Well, there was some political difficulties to settle.

Q.—Where? A.—All over, especially in Plamondville.

Q.—What was the difficulty in Plamondville? A.—Well, they were very angry against him.

Q.—Who were angry against him? A.—The electors.

Q.—What were they angry about? A.—Well I do not know, but they were angry; they would criticize him and say all kind of things.

Q.—Say all kind of things about him? A.—Yes.

Q.—And you were sent up to straighten this out? A.—Yes.

Q.—Do you know any cause of any of the difficulty at all? A.—There was a man, he is still there—Albert Chevennier—

Q.—What had he to do with this trouble in Plamondville? A.—There are two cliques in Plamondville.

Q.—And they were fighting among themselves, were they? A.—Yes.

Q.—What had Albert Chevennier to do with this? A.—Well he was considered as an outsider and he was given all the favours, they claimed.

Q.—What do you mean by given all the favours? A.—Well he was recognized as the man of confidence.

Q.—As the man of whose confidence? A.—Mr. Gariepy's.

Q.—He was recognized as the man in whom Mr. Gariepy had confidence, in Plamondville? A.—Yes.

Q.—And he was recognized as an outsider by the people? A.—By one clique of the people.

Q.—You say he was recognized? Can you say any ways in which he was recognized? A.—Well, at the time that the election was pending in the fall Mr. Berrill had been sent over there, and the Minister told me that because he had driven around the place with Albert Chevennier that it was the cause of the criticism.

Q.—Because Mr. Berrill who was an employee of Mr. Gariepy's Department, had driven around with Chevennier? What do you mean, driven around with him? A.—Well he went there to visit the people and he hired a buggy.

Q.—Chevennier would be paid for driving Berrill around, would he? A.—Oh, yes.

Q.—Who would he be paid by? A.—Well, I suppose the man that hired him would pay him.

Q.—Do you suppose Mr. Berrill paid him out of his own pocket? Do you think that?

MR. MACKAY: It does not matter what he thinks.

MR. EWING: Do you know anything about that—how Mr. Berrill paid him? If you don't know you don't need to say. A.—What do you say?

Q.—You say Berrill paid Chevennier for driving him around. Was that a personal affair of Berrill's or was he acting for the Government at the time? A.—He was acting for Mr. Gariepy.

Q.—That is, as Minister of Municipalities? A.—Oh, I don't know.

Q.—You do not know that? A.—No.

Q.—Do you know how much he paid Chevennier that caused all this row?

MR. MACKAY: He did not say the payment caused it. It was the fact that he was driving around.

MR. EWING: I suppose that after all it was the payment?

MR. MACKAY: Well why do you think so?

MR. EWING: I do not suppose it was purely the honour that excited those people out there. Do you know how much Berrill paid Chevennier for driving him around? A.—Well, I can't swear, but I think, I was told at the time, \$89, I don't know; because he had made such a failure that Mr. Gariepy told him he did not deserve to be paid.

Q.—Who had made the failure? A.—Berrill.

Q.—In what way had he failed? A.—Because he had taken around that man.

Q.—And caused all this trouble? A.—Yes.

Q.—Was Berrill an employee of the Department at that time? A.—Oh, yes.

Q.—But he had failed in not doing his assessment work? A.—Oh, he was not an assessor.

Q.—Well, what was he doing out there? What was Berrill doing out there? A.—Well, I told you a moment ago that I was sent to stop the workers.

Q.—Oh yes, that is true. He was one of the fellows whom you stopped working? A.—Yes.

Q.—And did he go out there to work again? A.—No, but it was at that time.

MR. MACKAY: He caused it before he stopped him. Don't you get the idea? He didn't stop him in time.

MR. EWING: Did you get all that trouble straightened out? A.—Well, I think so.

Q.—You did the best you could? A.—Yes.

Q.—And how long did it take you to do that? A.—Well, I stayed there about two weeks.

Q.—Endeavouring to straighten out the difficulty in Plamondville? A.—Yes.

Q.—And do you think you got the people reconciled pretty well? A.—Oh, yes.

Q.—You think you did. And then they were all in favour of Mr. Gariepy at the time you left, or nearly all, were they? A.—Oh, yes.

Q.—Well, that was two weeks' good work. And then what did you do after you got them all straightened out? A.—Well, I came back to Edmonton.

Q.—And went back to your work in the Department here? A.—Yes.

Q.—And how long did you stay there then? A.—A few months.

Q.—Until about when? A.—When it comes to the dates I can't say them.

Q.—But you stayed a few months, and what did you do? That would bring you on to some time in the winter? A.—I came here and started to prepare my list to go assessing with my fellow workers—the Wild Land Assessors.

Q.—Who were your fellow workers by the way? A.—Well, Mr. Ross.

Q.—And who else? A.—Mr. Lee, Mr. McFetridge, Mr. Riggs; Mr. Briere, he is dead now.

Q.—And who else? A.—Mr. Chapman.

Q.—Is he with the Department still? A.—Oh, well, I don't know that. And there was Mr. Corberand and a few others.

Q.—Well, what happened next after you continued to prepare your assessment list in the Department? What was the next thing that happened? A.—Well, when the time came we were sent out to do our work.

Q.—Where did you go? A.—Well, I went to my district. I went around Gainford.

Q.—You went out west around Gainford? A.—Yes.

Q.—Did you finish your work around there? Did you do all the assessing out there? Did you stay out there? A.—No.

Q.—What happened? A.—Well, Mr. Chapman came and he told me to come back.

Q.—Did he tell you what he wanted you for? A.—Yes.

Q.—What did he want you for? A.—To work.

Q.—To work what? A.—In the election.

Q.—Did you come back with him? A.—No.

Q.—Why didn't you go on and do your work? Why didn't you obey Mr. Chapman and come back to Edmonton? A.—Well, when I left to go assessing he was with me, Mr. Chapman, because he was quite interested in my work, he was a good friend to me and he came to me to coach me a couple of days, to teach me. I was a new man.

Q.—He took you out into the country to coach you a couple of days and then he left you? A.—Yes, and I made him promise not to say to anybody where I was, I wanted to do my work. And he promised me, because we knew that an election was coming and he promised me that he would not, and then when I was in Edson some time after, assessing, on Sunday, I met Mr. Chapman and he said: "He told me to bring you back even if I have to use a rope."

Q.—He told you he was sent out to bring you back even if he had to use a rope? A.—Yes.

Q.—And did he bring you back? A.—Oh, yes.

Q.—And what he wanted you for was for election purposes? A.—Yes.

Q.—And you came back to Edmonton? A.—Yes.

Q.—And what did you do then? A.—I went to see Mr. Gariepy.

Q.—And what happened? A.—Well, he told me that he wanted to see me for electoral purposes.

Q.—He told you he wanted to see you for election purposes. And then what? A.—Well, I told him: "That you should leave me at my work."

Q.—You wanted to be left at your work. And what did he say? A.—He said: "If you want to be in at the triumph you must be in the trouble."

Q.—He said "if you wanted to be in at the triumph you must be in the trouble." And what did you say? A.—I said: "I will be a trouble to you."

Q.—And what did he say to that? A.—He said: "I will put you amongst the Protestants."

Q.—That was out in his district? A.—Yes.

Q.—And what else happened? A.—And I spoke about the money and he told me to write vouchers for all my expenses.

Q.—Mr. Gariepy told you all your expenses would be paid? A.—Yes, to write my expense vouchers; that I would be paid.

Q.—To write your vouchers on the regular Departmental forms? A.—Well, he didn't add that.

Q.—He didn't say that. But he told you to keep track of your expenses? A.—Yes, and he said: "Go and speak to Mr. Boulanger."

Q.—Who was Mr. Boulanger? A.—He was the private secretary.

Q.—Of whom? A.—Of Mr. Gariepy.

Q.—He turned you over to Mr. Boulanger? A.—Yes.

Q.—And what did Mr. Boulanger tell you? A.—He said: "Mr. Lussier, we are going to leave tomorrow." But we did not; we left the next day.

Q.—You left for where? A.—For Doucette.

Q.—Where is Doucette? A.—In Mr. Gariepy's constituency, in St. Paul.

Q.—And you left the second day after that? A.—In the morning.

Q.—Did you leave in an automobile? A.—Yes.

Q.—What did you take with you? A.—I took a valise in which I put my files and my kit for assessment purposes and unfortunately I lost it.

Q.—You lost your grip? A.—My valise.

Q.—With your files in it? A.—Yes.

Q.—Where did you lose it? A.—Well, when I came back there was a letter in my room stating it had been found.

Q.—When you came back from where? A.—After the campaign.

Q.—You lost it going out and you never knew anything about it until after the campaign was over? A.—Yes, but I did my best to find it.

Q.—I understand you. Had you anything else in your automobile when you started out there? A.—Well, it was full of papers for the election and literature.

Q.—Election literature? A.—Yes. That is why I lost my valise. We had to stop and unload. We got stuck.

Q.—You had such a load of campaign literature you got stuck, is that right? A.—No.

Q.—I do not quite get your meaning. A.—The roads were not good.

Q.—And you did get stuck? A.—Yes.

Q.—And did you unload the campaign literature? A.—Well, we unloaded everything in order to try to get out.

Q.—Had you anything else besides literature for the purpose of carrying on your election campaign? A.—Well, you mean if we had anything else.

Q.—Had you any other means with you of influencing the electors besides literature which appeals to their intelligence?

MR. HOADLEY: Or taste?

A.—I know what you refer to—no.

MR. EWING: You hadn't any of what I am referring to?

A.—You said: "Had you anything else besides literature to influence the electors"?

Q.—Yes? A.—I said "No."

Q.—You just had a carload of literature? A.—We had a bottle of wine but it was for us.

Q.—And you did not divide it up with the electors in any way? A.—No. We had to sleep two nights in the open. And it was wine; it was not alcohol.

Q.—It never reached Doucette at all? A.—No.

Q.—And you and Boulanger were together in this car, were you? A.—Yes.

Q.—Was anyone else with you? A.—No.

Q.—And you finally reached Doucette, did you? A.—Yes.

Q.—And can you tell us what time of the year this was? A.—You see, with regard to the date—

Q.—But what time of the year, generally? A.—I think it was in May.

MR. MACKAY: What were the people working at when you got out there along the road?

A.—Yes, I remember; they were discing.

MR. EWING: How long would this be before the election? Have you any idea?

A.—Oh, it would be seven or eight days.

Q.—Seven or eight days before the election? A.—Before the issue of the writs.

Q.—And what did you start to do when you got out to Doucette? A.—Well, Mr. Boulanger, the private secretary, had management of everything.

Q.—And you started to work in at the election as an election worker, did you? A.—We stayed there at Doucette a few days.

Q.—What doing? A.—We were there a few days doing nothing.

Q.—Well, did you speak to any electors at all? A.—Well, we were in the house of Mr. Doucette.

Q.—And were you doing any election campaigning or were you doing absolutely nothing?

A.—And you speak of me, do you?

Q.—Yes. A.—I was not doing anything for a couple of days.

Q.—And then what did you do? A.—Then I was told to go to the Protestant part.

Q.—Who told you to go there? A.—Mr. Boulanger.

Q.—And what did you do out there? A.—Well, I was going to work.

Q.—To work in the election? A.—Yes.

Q.—And did you go out there? A.—Yes, I hired a man and I went around the constituency and I went through the French constituency to reach the English speaking part.

Q.—And how long did you stay out in the English speaking community? A.—Oh, I think that I stayed about four weeks.

Q.—What were you doing all that time? A.—Well, I was doing my best to show that Mr. Gariepy was the best of the two.

Q.—You were doing your best to show that Mr. Gariepy was the best of the two candidates? A.—Yes.

Q.—Did you succeed fairly well in making that plain? A.—Well, there are so many conservatives.

Q.—It was hard ground to work, was it? A.—Boyne Lake and Abilene.

Q.—And you did the best you could? A.—Yes.

Q.—And that is all that could be expected of you? A.—Yes.

Q.—Did you distribute literature among them? A.—No.

Q.—Didn't give them any literature? A.—No.

Q.—Was this English literature or French or both, or do you remember? A.—I do not remember.

Q.—And who else was doing the same kind of work as you were doing out there? A.—In the English part?

Q.—Well, anywhere through there, that you met from the first time you went to Doucette's place? A.—Well, at Brosseau we met Mr. Boychuk and he came with us to Doucette.

Q.—Where did you meet Boychuk? A.—At Brosseau.

Q.—What was he doing there? A.—I don't know, but he came with us in the car.

Q.—And what were you doing while you were going in the car? What work were you at? A.—We were on our way to Doucette.

Q.—You were just driving to Doucette. And what did Boychuk do when he got to Doucette?

A.—I think we waited a couple of days likely and then he went away with Mr. Briere.

Q.—Did you know what they were going to do? A.—Oh, yes.

Q.—What were they going to do? A.—Working.

Q.—Working at what? A.—Working for the election.

Q.—Boychuk and Briere. What was Mr. Boychuk's position in the Department? A.—He was an employee.

Q.—What did he do? A.—An ordinary employee writing notices.

Q.—And what was Mr. Briere's position at that time? A.—Wild Land Assessor.

Q.—And Mr. Briere has since died, has he? A.—Yes.

Q.—Who else did you meet out there that were doing work? A.—I met Mr. Chapman.

Q.—What was Mr. Chapman doing out there? A.—Well, he had been there before, I think, because he came one day—

Q.—You met Mr. Chapman, did you? A.—Yes.

Q.—Did you have any conversation with him? A.—Yes.

Q.—What did he say to you? A.—Well, we were all going to work for the election.

Q.—Mr. Chapman among the others? A.—Yes.

Q.—What was Mr. Chapman's position in the Department? A.—Wild Land Assessor.

Q.—And you all started in to work, did you? Do you recall any other employees of the Department who were helping you? A.—Helping me?

Q.—Or helping in the work that you were doing? A.—Well, there was a road foreman, but I do not know his name, the road foreman at that part of the district.

Q.—Was Mr. Verreault out there? A.—Oh, no.

Q.—You do not know this road foreman's name? A.—I knew it but I have forgotten.

Q.—You cannot recall it now? A.—No.

Q.—He was helping, too, was he? A.—Yes.

Q.—Was anyone else there—any other employee of the Department? A.—During all the time I was out there?

Q.—Yes, during all the time you were out there. A.—Well, at the end Mr. Whiston came.

Q.—Do you recall any others now? A.—When I came back Mr. Thibeault was there.

Q.—When you came back where? A.—After the election.

Q.—But I am speaking now of when you were out in the constituency? A.—Yes.

Q.—Did you hold any meetings? A.—What do you mean?

Q.—Well, were any meetings held at which you were at—that is the way to put it? A.—Oh, yes, two.

Q.—Two meetings? A.—Yes.

Q.—Who spoke at those meetings? A.—Mr. Chapman spoke and Mr. Gariepy.

Q.—That is Mr. Chapman the Wild Land Assessor? A.—Yes.

Q.—And the other? A.—Mr. Gariepy.

Q.—And anyone else? A.—I made a mistake—three meetings.

Q.—Who spoke at the other? Take them one at a time. At one meeting Mr. Gariepy and Mr. Chapman spoke? A.—Yes.

Q.—Take the second meeting? A.—Mr. Gariepy.

Q.—Alone? A.—I think so.

Q.—And what about the third meeting? A.—Mr. Gariepy.

Q.—Alone? A.—I think so.

Q.—You heard Mr. Chapman speak only at the first meeting? A.—Yes.

Q.—Did you speak at any meetings? A.—No, sir.

Q.—But you were at those meetings? A.—Yes.

Q.—You talked to the electors? A.—Oh, yes.

Q.—You made it your business to talk to all the electors you could, didn't you? A.—Yes.

Q.—You tried to. You were doing your best to influence the electors in favour of Mr. Gariepy? A.—Yes.

Q.—Did you notice the other people doing the same thing? A.—What do you mean?

Q.—Take, we will say, Boychuk. Was he confining his efforts to just talking to the electors? A.—Oh, yes, but you see, listen to me, I left Mr. Boychuk at Doucette and he went to the Ruthenians.

Q.—And you do not know anything about him? A.—No.

Q.—You did not see any liquor in that campaign out there, did you? A.—Not a drop.

Q.—You continued this up to election day, did you? A.—Yes, sir.

Q.—What did you do on election day? What did you do personally? A.—I went to Cork, that is a poll there.

Q.—What did you do at Cork poll? A.—I represented Mr. Gariepy.

Q.—In what capacity? A.—I was there to see.

Q.—You were the agent of Mr. Gariepy there?

MR. MACKAY: You were there to do what? A.—I went there just to see that he had fair play.

MR. EWING: Had you a paper in writing? Had you any paper appointing you as agent?

A.—I think the Returning Officer made me sign a paper.

Q.—And had you a paper signed by Mr. Gariepy appointing you agent? A.—Given to me by Mr. Gariepy?

Q.—No, given to you by anybody, signed by Mr. Gariepy? A.—No, sir.

Q.—You did not? A.—No.

Q.—Well, you stayed at Cork all day, did you? A.—Yes.

Q.—All election day? A.—Yes.

Q.—I suppose you tried that day to influence electors as you could by talking to them? A.—No, I did not.

Q.—You did not help any that day? A.—Not that day—no.

Q.—Well, what happened when the day was over? What did you do then? A.—Well, I left when the poll was closed, with the Returning Officer.

Q.—Who was the Returning Officer? A.—I do not remember his name.

Q.—You do not even remember his name? You left with him? A.—Yes.

Q.—And where did you go? A.—I went to Doucette.

Q.—Did you stay there all night? A.—No; I went to St. Paul de Metis to spend the night.

Q.—Who went with you? A.—I went with Mr. Whiston and another gentleman.

Q.—Another gentleman? A.—Yes.

Q.—Who was the other gentleman? A.—Well, he was a driver.

Q.—You and Whiston and the driver. By the way, had you met Whiston while you were out there before the election? A.—Yes, he came to where I was.

Q.—And what did he do? A.—Well, he told me that he had spent a few nights there doing his best—playing the organ and singing. I do not remember very well.

Q.—Playing the organ and singing? A.—Yes, in the family, to put some life—

Q.—Trying to put some life in these men out there. And do you know what he was trying to put life into them for? A.—For election purposes.

Q.—Yes. Mr. Whiston was working as an election worker there and he told you he directed his abilities to playing the organ and singing in the family? A.—Well, I don't know that he sang himself, but he spent some fine nights playing the organ and they were singing.

Q.—How long was he engaged in this election work, to your knowledge—about how long?

A.—Well, when he came to my part he told me that he was from St. Lima, that he had worked there with Mr. Dechene.

Q.—He had worked with Mr. Dechene around St. Lima? A.—Yes.

Q.—And he came over to where you were? A.—Yes.

Q.—And were you and he together for some time? A.—No, we met only one night if I remember well. It was the night of the meeting of Mr. Gariepy.

Q.—Was Mr. Whiston at that meeting? A.—Yes.

Q.—And you? A.—Yes.

Q.—Any other employees of the Department? A.—Mr. Chapman was gone.

Q.—Mr. Chapman was not there? A.—No.

Q.—And you came to Edmonton a day or two after the election did you? A.—The next day.

Q.—Who came with you? A.—Mr. Whiston.

Q.—Anyone else? A.—Well, Mr. Boychuk and Mr. Dechene were in the other auto.

Q.—Oh, I see, you had two autos. And Mr. Dechene was an employee of the Department, too, was he not? A.—I think so.

Q.—And, I suppose, your work being over you naturally went back to Edmonton? A.—Yes.

Q.—And what happened when you got to Edmonton? A.—Well, I tried to be paid.

Q.—And were you paid? A.—Well, I went to see Mr. Perrie.

Q.—Mr. Perrie, the Deputy Minister, is it? A.—Yes, and Mr. Perrie told me that he could not pay me.

Q.—Could not pay you what? Pay you what, now? A.—Well, I presented my account.

Q.—That is for your expenses? A.—For my expenses. And I had put together my expenses before the election while assessing, and then my expenses during the election and Mr.—

Q.—And were your expenses for assessing paid? A.—No.

Q.—What did Mr. Perrie say to you? A.—Mr. Perrie said: "I cannot, we cannot, I cannot pay you; go to Mr. Gariepy; you have worked for Mr. Gariepy, Mr. Gariepy will pay you."

Q.—And what did you do? A.—Well, I went to Mr. Gariepy.

Q.—And what happened there? A.—Well I said—I did not tell him what Mr. Perrie told me in the beginning—so I said "Am I going to be paid?" "Oh," he said, "Yes." "Well," I said, "How is it that you say that I am going to be paid and that Mr. Perrie tells me that he cannot pay me?" He said: "He knows nothing; he is a fool."

Q.—Mr. Perrie was a fool who did not know anything. And did he say anything about what was going to be done in spite of that fact? A.—Well, he left me under the impression that I would be paid.

Q.—And have you ever been paid? A.—No, never, not a cent.

Q.—And you continued on to work in the Department, did you, after the election? A.—When I saw that—that my account was turned down, I had received \$150 from the Department in advance when I went on assessing and of course I had spent some of it before. I said: "I will go back assessing and spend that \$150 in order to be straight with the Government," and, therefore, instead of making money I was losing.

Q.—That is, you told Mr. Gariepy you would go on assessing and spend the balance of the money?

MR. MACKAY: No, he did not say that. He said he went on and did it.

MR. EWING: Did you go on and do it? A.—Yes.

Q.—How long after the election did you continue in the employ of the Department? A.—What do you mean?

Q.—You came back after the election? A.—Yes, I went.

Q.—The election was in June, 1917. I do not know whether you remember that or not, but it was, the 7th of June, 1917. About how long did you stay in the Department after that? A.—Oh, I stayed until spring.

Q.—Until the next spring? A.—Yes, April or May.

Q.—Of next year, April 1918, that would be? A.—Yes.

Q.—And what were you doing during that time? A.—Well, I was writing notices.

Q.—Doing the work of the Department? A.—Yes.

Q.—You were getting \$100 a month, were you? A.—Yes.

Q.—You were paid this salary of \$100 a month right through from the time you started in until you finished? A.—Yes.

Q.—Your salary was paid right through? A.—I had \$100 a month.

Q.—That is, it was paid all the time. It was paid during the time you were out, for example, in Beaver River? A.—Yes.

Q.—It was paid right along? A.—Oh, yes, except when I came back to Edmonton after the election, I was presented, I don't know if it is \$75 or \$50—a cheque.

Q.—By whom? A.—By the clerk.

Q.—For what? A.—For my salary. And I said: "How is it?" and I was told that Mr. Gariepy had withdrawn the balance during my absence.

Q.—Mr. Gariepy had withdrawn the balance? A.—Yes; I don't know if it is \$75 or \$50, and so I protested and I was given back my money.

Q.—You were told that Mr. Gariepy had withdrawn one month's salary? A.—Yes.

Q.—And you protested to him? A.—I went to see Mr. Perrie and I went to see Mr. Gariepy himself and I said: "How is it?" And he said, "Oh, I will give it back to you."

- Q.—And he gave it back to you? A.—Yes.
- Q.—And it is true you got your salary right along. There was no deduction of salary at any time? A.—Well, the first month.
- Q.—What happened the first month? A.—The first month the others were paid. Of course, I was a newcomer and did not know; I was timid when it came to salary to be paid, and I looked around and the others received their cheques. So, after a while, I went to Mr. Gariepy and I met the private secretary behind the counter.
- Q.—That was Mr. Boulanger? A.—Yes, Mr. Boulanger. And I said: "How is it?" I said "How is it I did not receive my cheque?" And he showed me my cheque.
- Q.—He had your cheque? A.—Yes.
- Q.—What was he doing with your cheque? A.—Well I tried to take it.
- Q.—Who had your cheque? A.—Boulanger, the private secretary, and he held it back.
- Q.—He would not give it to you? A.—No. Well, in a very friendly way, of course.
- Q.—Yes, of course. A.—And he told me that it was customary to give the first cheque to the Minister.
- Q.—And what happened? A.—So I said: "Keep it." So he said, "No, endorse it."
- Q.—You told him then he could keep it, did you? A.—Yes. I am not a business man and said: "All right."
- Q.—He told you it was customary and you said if it was customary, all right? A.—Yes, and he said "Endorse it," and I endorsed it and he kept it.
- Q.—How much was the cheque for—do you know? A.—\$95.00 because we paid \$5.00 for the Patriotic Fund.
- Q.—Did you ever get that \$95? A.—Never.
- Q.—Do you know where it went? A.—No.
- Q.—Apart from your first month's salary, your salary was paid right through till you left, was it not? A.—Repeat, please.
- Q.—Apart from the first month, you were paid your salary—you got your salary regularly, except what you have told us about? A.—Yes.
- Q.—How did you come to leave the Department? A.—Well, one day he called for me.
- Q.—Who did? A.—Mr. Gariepy.
- Q.—And what did he tell you? A.—He said this: "It is useless for you as well as for me to resist Archbishop Legal any longer, therefore you must go. I will pay you two months in advance. I will settle that account, your last trip in the south and I will help you under cover."
- Q.—He would help you under cover? A.—Yes.
- Q.—What did you say? What did you say in reply? A.—Well, I spoke of the attitude of Mr. Laurier in 1896 on the school question. I said: "Of course it is the same principle which is at stake; you should not sacrifice me."
- Q.—You argued that Mr. Gariepy should follow the example of Sir Wilfrid Laurier? A.—Yes.
- Q.—And what did Mr. Gariepy say? A.—He did not say anything.
- Q.—And the result was that you had to go. You went, did you? A.—Yes, I went right away.
- Q.—You spoke a moment ago of your last trip south. Do you remember when the Legislature was in session last year? You remember the time of it being in session? A.—Yes, I used to go by every night.
- Q.—You were working in the Department at that time, were you not? A.—Yes.
- Q.—What time did you make this trip south? A.—At the end of the session.
- Q.—Can you tell me just about how long it was before the end of the session that you made the trip south? A.—Oh, it was about ten days.
- Q.—About ten days? A.—Yes, because when I came back I met Mr. Hoadley and a few others in Calgary, I think. If I am not mistaken, I think I met Mr. Kemmis also. There were two or three there on the street.
- Q.—Two or three of the members on the street? A.—Yes, or at the station, rather.
- Q.—How did you happen to go on that trip south? A.—I was sent there to coach a new Wild Land Assessor.
- Q.—Who sent you? A.—Mr. Gariepy.
- Q.—Mr. Gariepy sent you personally, did he? A.—Well, yes, he brought me to his office with Mr. Collison and explained everything and I went down with Mr. Collison.
- Q.—Just speak a little louder. A.—Mr. Gariepy called me to his office and called Mr. Collison, too, and he told Mr. Collison about the trip I was going to take south with that new Wild Land Assessor and Mr. Collison told me to go.
- Q.—By the way, had you ever been sent out before to coach any Wild Land Assessors? A.—No.
- Q.—This is the first time you were sent out? A.—Oh, yes.
- Q.—Where were you sent to? A.—I was—I took the train and I went to Lethbridge to meet that gentleman.
- Q.—You were sent to Lethbridge? A.—Yes.
- Q.—And then where did you go? A.—Then I accompanied him through his district.
- Q.—Where was his district? A.—South, on the borders of the States.
- Q.—On the border of Montana? A.—Yes.

Q.—Had you ever been in that country before, assessing or doing any work? A.—No; never; I did not know anything.

Q.—Was no reason given at that time for sending you down to the Montana border into a country where you had never been before? A.—I do not understand.

Q.—Was any reason given you by the Minister or anyone else for sending you down to the Montana border into a country where you had never been before? A.—No; just to go with that man; "You will go and coach that man."

Q.—You were given those instructions? A.—Yes, only.

Q.—Were you following the proceedings in this Committee at that time at all? Did you know what was going on in this Committee at the time you went away? A.—Perhaps you do not understand me.

Q.—I will try and make myself plainer. Mr. Lussier, at the time that you started on that trip to the Montana border do you think your name had been mentioned as a witness before this Committee? A.—I think that I heard something about that, but I could not say anything positive.

Q.—Can you give us any idea from whom you heard it? A.—Well, it was downstairs that the employees I think laughed because I was sent there.

Q.—It was a subject of amusement among your fellow-employees that you were sent down to the Montana boundary? A.—Yes.

Q.—What made them laugh about it? A.—Well, I did not know, and therefore I thought it might be some jealousy or something, because I was sent out, to be sent away, and it is always a pleasure to be sent away.

Q.—It is always a pleasure to be sent away? A.—Yes.

Q.—Did Mr. Gariepy express any pleasure at sending you away? Did he say anything about sending you down there other than ordering you to go down? A.—Nothing. He said "You go there and show that man."

Q.—Just try and recall how did it come to your knowledge that your name was mentioned as a witness before this Committee? A.—I could not.

Q.—You cannot do that? A.—No.

Q.—Can you tell me who suggested it to you? Who was it spoke of it down in the office? A.—It is too remote.

MR. MACKAY: He has not said that anybody did.

MR. ATKINS: Somebody laughed, that is all.

MR. EWING: He said there was some—

MR. MACKAY: No he did not—they laughed at him being sent south.

MR. EWING: Can't you remember something about it as to who told you or were you told that your name was mentioned as a witness before this Committee? A.—I think, but I cannot swear this positively, but I think that Mr. Lawrence insinuated to me that they were getting rid of me.

Q.—By the way, did you hear any talk down in the Department of getting rid of any witnesses about that time? A.—No.

Q.—Understand me, this Committee was sitting as it is sitting now and certain witnesses were called by this Committee to appear before them. Did you know of anything happening in the Department concerning these witnesses leaving the buildings and going out to the country at that time? A.—Yes, but you spoke before I left, you see—before I left.

Q.—I am speaking of before you left for the south? A.—I was in the dark.

Q.—And after you came back did you hear anything about that? A.—Yes, I remember that Mr. Lawrence would joke and would say: "How is it that you were called away?"

Q.—He would joke about it and say to you—A.—Yes, but I did not pay attention.

Q.—I just want to get the attention that you did pay. Mr. Lawrence would joke about them all being away. Who? All the employees? A.—No; Mr. Corberand was in the south with me to coach another new man.

Q.—But was he one of the men concerning whom there was a joke about being away at the time? A.—Well, you see, I could not swear this because it is too obscure.

Q.—I see, you cannot remember. Is that your signature? (Referring to expense voucher produced.) A.—Yes.

Q.—And I suppose these vouchers here were given to you? A.—Yes.

Q.—And those are your signatures, too? (Referring to vouchers.) A.—Yes.

Q.—Those are your signatures? A.—Yes.

Q.—And that is your signature? (Referring to different parts of vouchers.) A.—Yes.

Q.—And that is for the \$150 that was advanced to you? A.—Yes.

Q.—Which you later used? A.—Yes.

Q.—And you do not know anything about Berril's signature, do you? A.—No.

Q.—Do you know his signature? A.—No, no.

Q.—You do not know his signature? A.—No.

Committee adjourns till Monday, March 3rd, 1919.

WEDNESDAY, MARCH 5, 1919. COMMITTEE RESUMES AT 10 A.M.

E. C. LUSSIER (recalled) testified as follows:

THE CHAIRMAN: You were sworn and you are still under oath? A.—Yes.

MR. MACKAY: Q.—Where did you know The Honourable Mr. Gariepy first—where? A.—In Montreal.

Q.—You were class mates at college, I believe, a couple of years? A.—Yes.

Q.—Then, you were class mates, that is in Philosophy, and then you were class mates three years after that while you were studying law, attending McGill College, Montreal? A.—Not three years; I think it was only one year.

Q.—Didn't you study law three years? A.—No.

Q.—What? A.—No.

Q.—How long did you attend McGill College, Montreal? A.—About one year.

Q.—Did you study law down there? A.—Yes.

Q.—I thought you took lectures for three years? A.—No.

Q.—How long? A.—For one year.

Q.—And then you went into the Church? A.—Yes.

Q.—And you became a priest? A.—Yes.

Q.—Where did you go then? A.—I went to the States.

Q.—Where? A.—Massachusetts.

Q.—But that is a big place, you know. Where did you go? A.—I first went to Worcester.

Q.—How long were you at Worcester—about how long? A.—One year.

Q.—You were stationed there as a priest? A.—Yes.

Q.—Where did you go then? A.—Fitchburg.

Q.—How long were you there? A.—About two years.

Q.—Still as a priest? A.—Yes.

Q.—And then where did you go? A.—Williamsett.

Q.—And how long were you there—about how long? A.—Well, one year—about a year; I don't know.

Q.—Still as a priest? A.—Oh, yes.

Q.—And then where did you go? A.—Leminstor.

Q.—And about how long were you there? A.—I am not sure about that.

Q.—Two years? A.—Oh, no.

Q.—Six months? A.—Perhaps.

Q.—Still as a priest? A.—Oh, yes.

Q.—And where did you go then? A.—From there I went to Southridge.

Q.—How long were you there about? A.—Well, perhaps five or six months.

Q.—Still as a priest? A.—Oh, yes.

Q.—And then where? You shifted oftener than the Methodist preachers. Where did you go then? A.—Holyoke.

Q.—How long were you there? A.—A very, very short time.

Q.—Two or three months? A.—Oh, no, I think I was there nearly two weeks.

Q.—Still as a priest? A.—Yes.

Q.—And then where did you go? A.—Then I went to North Adams.

Q.—You went to North Adams after Holyoke? A.—Yes.

Q.—How long were you at North Adams? A.—One year, I suppose.

Q.—Was that your last charge? A.—No.

Q.—Where did you go then? A.—From there I went to Holyoke.

Q.—Back to Holyoke? A.—Yes.

Q.—You were twice at Holyoke? A.—Yes.

Q.—How long were you there the second time? A.—One year and a half.

Q.—And then what? A.—Then I left.

Q.—You left the Church? A.—Oh, no.

Q.—Did you quit being a priest? A.—No.

Q.—Where did you go then? A.—I came west.

Q.—Have you been stationed as a priest since? A.—No.

Q.—I asked you if you quit the priesthood when you were at Holyoke? A.—No.

Q.—No trouble there? A.—Oh, yes.

Q.—Were you fired out of the Church there? A.—No.

Q.—Any trouble? A.—Oh, yes.

Q.—What was the trouble? A.—With the Bishop.

Q.—Who was the Bishop? A.—Bishop Bevan.

Q.—What was the trouble with him? A.—We did not agree.

Q.—He let you go, didn't he? He got rid of you, didn't he? A.—No, no.

Q.—You left of your own accord? A.—Oh, yes.

Q.—What didn't you agree about? A.—About matters of administration.

Q.—Was that all? A.—Oh, yes.

Q.—No personal complaint against you? A.—No, no.

Q.—None whatever? A.—None whatever.

Q.—And then you came to Saskatchewan? A.—Yes.

Q.—And then you came to Alberta? A.—Yes.

Q.—You started your story connecting up with Mr. Gariepy referring to letters he sent you? A.—Yes.

Q.—Give us the start of this. Isn't there a nearer point? A.—Don't go so fast.

Q.—You started in about letters. You started in with letters. I am asking you if there was not an earlier point where you met your old class mate, The Honourable Mr. Gariepy, and certain conversations took place in the city of Edmonton? A.—Yes.

Q.—That was before these letters were written? A.—Yes, between my first school and my second school I met Mr. Gariepy, on the street.

Q.—And that was the first time you had seen him for years? And you went over your whole life from the time you had been old college class mates and had quite a chat? A.—Yes.

Q.—And you told him you were out there in a Russian settlement and you wanted him to give you work among white people? A.—No.

Q.—Didn't you want a position? A.—No, sir.

Q.—Nothing of that kind occurred? A.—Nothing.

Q.—You just had an ordinary meeting with him as an old class mate? Is that it? A.—Yes, and I wanted to speak of the present, only.

Q.—You went back over your old lives as college mates, is that it? A.—You will understand I was not in a hurry to speak of the past.

Q.—You were not in a hurry to speak of the past? A.—No.

Q.—But I understood you did speak of it? A.—He spoke of it.

Q.—Did he ask you about your trouble on the other side when you left the Church? A.—No.

Q.—Did you tell him? A.—No.

Q.—Nothing said about that? A.—No.

Q.—Did you go over any of that history? A.—No, but we had left before I was a priest.

Q.—That is, you had separated at Montreal? A.—Yes.

Q.—Exactly. A.—And it struck me as if he doubted whether I had really been a priest or if he wanted to know for sure. You see, there are different steps.

Q.—There was nothing said about any difficulty over on the other side? A.—No.

Q.—And you explained to us how you got in. The letters are put in and you instructed us how he employed you in the Department. A.—What?

Q.—You were employed later by Mr. Gariepy in his Department, to work here. And you went up to Lac Ste. Anne and you told us your district ran from there to the Arctic Pole? A.—Oh, yes.

Q.—And you told us a story about your first month's cheque. Do you remember what you told us? A.—Yes.

Q.—That story is correct, is it, about what happened about your first month's cheque? A.—Positively correct.

Q.—Were you in the habit of cashing cheques around town and not depositing them in the bank? A.—In the habit?

Q.—Did you do it several times? A.—Before that?

Q.—No, no, that was your first cheque; you could not do it before you got them. But at different times, did you cash them with different people around town? A.—Not different people.

Q.—Well, whom did you cash them with? A.—Well, if I remember well, all those cheques were made on the Imperial Bank.

Q.—I did not ask you that. And whom did you cash them with? Do you mean you deposited them in the Imperial Bank? A.—No, I would go to the Imperial Bank and have them cashed.

Q.—You cashed them all at the bank? A.—Well, let me see. I think that a couple of times we were paid too late.

Q.—Too late for what? A.—To go to the bank.

Q.—Late in the day, you mean? A.—Yes; and I think I tried, I am not absolutely sure if I succeeded, but I think that I tried to have them cashed, one or two of them, at the Hudson's Bay. Well, I tried—I am sure I tried but did not succeed. I am almost positive I was refused. They said they had deposited their money already and it was too late.

Q.—Is it your recollection that you did not cash any cheques outside the bank? A.—Oh, well, I won't go that far. I won't say I did not succeed.

Q.—What is your recollection? What do you remember? I want to see what your memory is worth. A.—Well, I think that once, in order to have it cashed I bought something.

Q.—Where? A.—At the Hudson's Bay, I think I did.

Q.—That is what you remember? A.—Yes.

Q.—And you think you bought something; you got part in trade and you got part of it that way? A.—Yes.

Q.—And any place else, or is that your whole story? A.—Well, I cannot swear.

Q.—Well, give me your recollection. Try to remember. A.—No, sir, I have no recollection.

Q.—You have no recollection of cashing the cheque any place else outside of the bank where you deposited, except at the Hudson's Bay, once? A.—Yes, sir.

Q.—Do you know Mr. McNeill down at the cigar store? A.—Oh, yes, fairly well.

Q.—Did you cash more than one cheque there? A.—I remember that I cashed, yes, one or two.

Q.—You did cash one or two your recollection is, now that I call your attention to it—you did cash one or two there? A.—You have spoken of the cheques of the Government?

Q.—Yes, I am speaking still of the Government cheques. I am not talking of any private cheques. I am speaking of the cheques you got from the Department. A.—I do not remember any that I have cashed.

Q.—Only the one you think you cashed at the Hudson's Bay? A.—Yes.

Q.—Do you know W. A. Rowe, who worked in the Department? A.—Yes.

Q.—Did you ever cash a cheque with him—one of those pay cheques from the Government? A.—With Rowe?

Q.—Yes, with W. A. Rowe; that is the man I am talking about; I do not know him. A.—Might be.

Q.—What is your recollection? A.—Well, I will explain it to you.

Q.—What is your recollection as to whether you cashed a cheque with Rowe, and then we will get further. What is your recollection of that? Did you or did you not, according to your memory? A.—Well, I could not swear.

Q.—You do not remember? A.—No, I do not remember, not enough to swear to.

Q.—Is your memory bad? Is your memory generally pretty bad or pretty good? A.—No, my memory is good.

Q.—Was that your first cheque? (Produced.) November 27, 1916. That cheque is endorsed by Boulanger; I will help you. Is that your first cheque? A.—No.

Q.—No? A.—No.

Q.—You could not be sure? A.—No.

Q.—However, that is one of your cheques. That is your signature at the back of that cheque? A.—Yes.

Q.—That cheque is dated November 29th, not the 27th, I made a mistake, 1916. And do you know Boulanger's signature? A.—No.

Q.—You would not know whether that is his signature or not? A.—No.

Q.—Was he private secretary to Mr. Gariepy at that time? A.—Yes.

Q.—And as such he would be in the office right alongside Mr. Gariepy's office; he was out in the office in the next room? A.—Yes.

Q.—You were occasionally in to see Mr. Gariepy and Mr. Boulanger? A.—No, Mr. Boulanger and Mr. Gariepy—he would call for me quite often.

Q.—And you were often in his room? A.—With him privately.

Q.—In Mr. Gariepy's room? A.—Yes.

Q.—You were getting \$100 a month? A.—Yes.

Q.—And there was \$5.00 deducted for the Patriotic Fund? A.—Yes.

Q.—So that your monthly cheque would be \$95? A.—Yes.

Q.—This next cheque, December 20th, 1916, would be your next monthly cheque? A.—Yes.

Q.—At all events that is your signature on the back of that cheque? A.—Yes.

Q.—And it is stamped "Imperial Bank of Canada." Do you remember where the bank was or where you put that cheque in—down town? A.—Generally I used to go—

Q.—Look at that stamp and tell me if you know. That is stamped "Imperial Bank of Canada." Can you tell me where that bank was that you apparently turned the cheque in at? A.—Where the bank was?

Q.—Do you know where that bank is?

MR. EWING: It is endorsed on the cheque "West End Branch."

A.—You see, I am confused.

MR. MACKAY: No, I am not confusing you. A.—I used to go.

Q.—We know where you used to go. But I am asking you now just as a matter of memory if you remember where that bank is you put that cheque in. A.—I do not remember. You know very well—

MR. EWING: It is on with a stamp.

MR. MACKAY: I am just asking to test his memory if he knows where it is. Very well. I know where it is, and I am not asking for that. "January 30th, 1917." That is your endorsement on the back of that cheque? A.—Yes.

Q.—And the stamp indicates that you cashed that at the West End there. Do you read that? A.—Oh, yes, Imperial Bank of Canada.

Q.—Isn't it West End?

MR. EWING: Yes.

MR. MACKAY: And that is your endorsement on the cheque dated February 24th, 1917? A.—Yes, that is my signature.

Q.—And that cheque you apparently turned into the Hudson's Bay. Just look at the stamp. A.—Yes.

Q.—That is likely the cheque you cashed at the Hudson's Bay? A.—Yes.

Q.—You do not remember exactly. This was stamped. Then in March, your March cheque, you endorsed that? A.—Oh, yes.

Q.—And apparently you put that in the Imperial Bank, not in the West End but down town in the Imperial Bank, apparently. Do you remember? A.—No.

Q.—You cannot remember? A.—No.

Q.—Then you opened an account in the Merchants Bank apparently? A.—Yes.

Q.—I judge that by the deposit stamp and the way you signed it. You endorsed the cheque. Now look at May 22, 1917. Did you cash that at the cigar store ordinarily known as McNeill's Cigar Store? Does that help you? A.—I tell you I do not remember at all.

Q.—You see, it is endorsed by you and below that it is endorsed, stamped "United Tobacco and News Limited per J. McNeill." You see that? A.—Yes.

Q.—Do you remember the transaction? A.—No, not at all.

Q.—That was for \$70? A.—Yes.

Q.—And you told us something the other day about Mr. Gariepy holding back the balance of the \$100, and there would be \$25 more coming, about. You told us something about that? A.—Yes.

Q.—And that is the \$70 you got. You got that \$70? A.—Well I told you, you see.

Q.—Answer my question. Did you get that \$70? A.—I cannot swear you see. I do not remember.

Q.—But you see it is endorsed by you? A.—Yes.

Q.—And under that is the endorsement of McNeill's Tobacco Store? A.—That is my signature.

Q.—You told us the other day that Mr. Gariepy in some way held the rest back and you went to him and he gave you the balance of the month's pay? A.—Yes.

Q.—Did he give it to you in money? A.—I do not remember. But I do remember he gave it to me.

Q.—Don't you remember whether you got the money or what you got? A.—No, I do not.

Q.—Is your memory very, very bad? A.—It is not.

Q.—Here is a transaction in which you tell us that only as far back as May 22nd, 1917, which is only ten months ago, you told us the other day that part of your pay cheque was held back?

MR. DAVIS: It is a little more than that.

MR. MACKAY: I beg your pardon, it is nearly two years. You said Mr. Gariepy was holding back the balance and then you told us you got the balance—and then you said he gave it you, and I want to know whether you got cash or not? A.—I cannot swear because I do not remember.

Q.—Wouldn't it help you to know whether you went in to Mr. Gariepy and whether he pulled the money out of his pocket or what? A.—No.

Q.—That was just after you lost your valise on this trip, May 22nd. That is about the time you were on the trip that you lost your valise, you know? A.—Yes.

Q.—Didn't you learn then the whole facts about why that was made out for \$70 and why it was not made out for \$95? A.—No.

Q.—You did not learn that the head clerk supposed you had left the Department and issued a cheque for the part of the month and then you came back and the balance was paid? You did not understand that? A.—I do not understand what you say.

Q.—You did not learn anything. Who was the head clerk then, do you know? A.—I do not know his name but I know him by sight.

Q.—Do you know who recommended the payment of \$70? You do not know that? A.—No.

Q.—And you do not remember whether the balance was paid in cash or not? A.—No.

Q.—I will show you another cheque. There is a cheque there for \$25 on May 29th. Do you see that? Is that your endorsement? A.—Yes, sir.

Q.—And you told us that Mr. Gariepy had held back the balance and then he gave you the balance. Didn't you learn at that time just why the cheque was made out for \$70 and not for the full amount of \$95? A.—No, sir; I swear positively.

Q.—Did you get the balance a week later in a cheque? A.—Well, a week later.

Q.—Well, perhaps within a day or two or a week later? Some days later than that? A.—Yes, that is what I said. I got the money.

Q.—And that cheque you apparently cashed at the tobacco store? A.—Yes.

Q.—It indicates that. Do you remember it? A.—It indicates.

Q.—That is pointed out you endorsed it and it is endorsed then "United Tobacco and News Limited per J. H. McNeill, Manager." You do not remember cashing that? A.—No, sir.

Q.—And do you tell us that you did not learn in any way from any official of the Department why it was that cheque was only made out for \$70? That is what you tell us. A.—I swear positively.

Q.—And you do not remember getting the second cheque for the balance of the month? A.—I told you that I was paid.

Q.—I did not ask you that. I know that. You do not remember getting the cheque? A.—No.

Q.—And you think you have a good memory? A.—Oh, yes, I can memorize pages and pages.

Q.—Then take June 26, 1917, the cheque. You deposited that straight in the Merchants Bank apparently. The stamp would indicate that. That is your signature? You wrote that, did you? A.—No.

Q.—What? A.—No. I do not think it is my signature.

Q.—Well, just look at it, or is it done by the bank? Is that your signature? A.—That is the bank's. I do not recollect.

Q.—Now, I asked you about Mr. Rowe. Look at that cheque, December 27, 1917, endorsed by W. A. Rowe. A.—Yes.

Q.—You do not remember the transaction with Rowe? You do not remember any transaction with Rowe with reference to that cheque? A.—I will tell you, sometimes——

Q.—I do not want a long story. Did he cash it? A.—Yes, but since I cannot swear with regard to the circumstances, don't you see—it is so long ago. I will tell you, sometimes I used to give my cheque to an employee friend and say: "Will you go to the bank today with your cheque? Cash mine."

Q.—You did that often? A.—Well, two or three times I think.

Q.—You did? A.—Oh, yes.

Q.—You think two or three times you gave cheques to a fellow employee and he went and cashed them and got you the money? A.—If I am not mistaken I gave it to Mr. Ritchie two or three times.

Q.—You think so? A.—I will not swear the times.

Q.—Do you remember any transaction with Rowe? A.—It was that kind of transaction.

Q.—You think. You do not remember. But you think that would be a case where you gave the cheque to Rowe and he would give you the money? A.—Yes. I would take my dinner here and he would go down town for his dinner and he would cash my cheque at the same time with his.

Q.—But you do not know whether that is a fact or not, with reference to that cheque? A.—Well, I could not swear positively. When it comes to swearing I want to know what I am talking about.

Q.—Who was W. A. Rowe? A.—He was a fellow worker.

Q.—Was he a chum of yours? A.—Yes, he was a chum of everybody. He is a very nice man.

Q.—Did you have any money transactions with Boulanger shortly before November 29, 1916? A.—No, never.

Q.—Did he ever give you any money? A.—No.

Q.—Did Mr. Boulanger give you \$100 just possibly a week or two weeks before the date of this cheque? Why do you hesitate? A.—No, no. I hesitate because I want to be sure.

Q.—Well, let me give you a little more. Did you go into Mr. Gariepy's office? Did Mr. Gariepy call Mr. Boulanger—did Mr. Boulanger give you \$100 some time before the date of this cheque, November 26, 1916? A.—No.

Q.—That did not occur? You are quite positive of that? A.—Yes.

Q.—Did you get any money from him or did Gariepy hand you the money? Did money come from Boulanger, either through Mr. Gariepy's hands or did Boulanger hand you \$100 at that time? A.—I am sure I did not receive it.

Q.—Did you receive any money, then? A.—No.

Q.—Do you know Mr. Boulanger happened to have your cheque at the end of that month? A.—No.

Q.—Mr. Boulanger, as a matter of fact—Mr. Gariepy's private secretary had your cheque at the end of the month? A.—Yes.

Q.—And he called you in I suppose. Did he call you in or send for you? A.—No, I went.

Q.—You came in? A.—Yes.

Q.—How did you come to come in? A.—Well, I saw that the others had been paid.

Q.—Did you see Mr. Boulanger? A.—I went to the office to enquire and Mr. Boulanger was there.

Q.—And that is the time you endorsed the cheque? A.—Yes.

Q.—That is the occasion you endorsed the cheque. We have your story before? A.—Yes, it is the same story.

Q.—And you deny emphatically that that cheque, that you had endorsed that cheque November 29, 1916, to Mr. Boulanger, to pay a debt or part pay a debt, do you? A.—I swear before God I did not.

Q.—And you say you sometimes gave your cheques to other people to cash and you think you gave that cheque to Rowe to cash. Can you name anybody else you think you gave the cheque to? A.—Mr. Ritchie.

Q.—Is he still in the Department? A.—Yes; he is a Wild Land Assessor.

Q.—How many times did you give him a cheque to cash? A.—I do not remember.

Q.—You left your school just shortly before this and came into the employment of the Department practically direct? A.—Oh——

Q.—You left the school? A.—Yes.

Q.—Came over here? A.—Yes.

Q.—And within a week, I should say, after that you were working in the Department? A.—Yes.

Q.—Or shortly after? A.—Yes.

Q.—According to this story. And you went up on a two-day trip to Lac la Biche; you were not on the payroll then, and then you came down here? A.—Yes.

Q.—You left your school suddenly and you did not get your pay from the trustees then? A.—No.

Q.—You got that afterwards? A.—When I left my school.

Q.—That is the time you stuck the notice up on the door and said you were sick? A.—Yes.

Q.—You did not get paid then, you know. Did you get paid up to that date then? A.—No.

Q.—You did not get your pay probably until the end of the year, I should say—I don't know? A.—Oh, no.

Q.—When did you get it? Some time after? A.—I think that it was two or three weeks after.

Q.—How did you get it? A.—Well, when I left the school I went to the bank.

Q.—Where? A.—In Vegreville. And I said to the manager, I said: "I am leaving."

Q.—Did you tell the manager to collect your money or what? A.—Yes.

Q.—Did you tell him the amount? He could not collect if you did not. He might, though. Pardon me. A.—Yes, I remember, and I left the school.

Q.—Did you go to the bank manager and tell him the trustees of the school owed you some money and you wanted him to collect it for you? A.—No, I said something else. "I am going away," I said. "It will perhaps embarrass them, instead of collecting such an amount that they owe me, give them" I think it was \$50 that I left with the trustees for their school.

Q.—It was what? A.—About \$50 that I left to the trustees for their school.

Q.—But you are not answering my question. Did you ask the banker to collect any money for you? A.—Yes, but I did not say the amount.

Q.—Do you know what the total amount was that they owed you? A.—I do not remember.

Q.—Roughly? A.—About \$300.

Q.—And you were leaving with him \$50 and he was to collect the balance. Is that right? A.—No, no. I think it was between \$300 and \$350. I am not sure.

Q.—I understood you to say you were throwing off \$50 and asking him to collect—A.—About \$50.

Q.—And asking him to collect the balance? A.—Yes; and he collected it.

Q.—When did you get your money? A.—Well, it was sent to me.

Q.—I asked you when. I asked you when? A.—Well, a short time after.

Q.—Would it be Christmas? A.—Oh, no.

Q.—It came by cheque? A.—I do not remember.

Q.—Oh, you haven't a distinct recollection of how it came or whether you got it by cheque? A.—No.

Q.—Or whether somebody brought it to you. Did somebody bring you a bunch of money? A.—No.

Q.—Did it come by cheque or draft, or how? A.—No; it was between the bank at Vegreville the transaction took place, between the bank at Vegreville and I don't know which bank here.

Q.—It might have been sent over to the bank here and the bank may have notified you? A.—Yes, but I can't swear.

Q.—You do not know how you got it? A.—No; but I got it.

Q.—And you do not know exactly when you got it? A.—No.

Q.—Now I want to go back to these two cheques. You told us the other day that with reference to the balance of your month's pay for May, 1917, that after you had got the \$70 you went to Mr. Gariepy and spoke about the balance and he said: "Oh, I will give it back to you." Do you remember that statement? A.—Yes, sir.

Q.—You swear to that still? A.—Yes.

Q.—That in an interview with Mr. Gariepy in reference to the balance of your pay for May, 1917, he said: "Oh, I will give it back to you"? A.—Yes.

Q.—And you did not remember a moment ago whether you got it by money or by cheque? A.—No.

Q.—You say now that it was paid by the ordinary Departmental cheque? A.—Yes.

Q.—You rather left the impression on us the other day that Mr. Gariepy paid it to you. Do you remember where you got that second cheque in May, 1917, and how you got it and where you got it? A.—No, sir.

Q.—You do not? A.—No.

Q.—And you do not remember any explanation by any official of the Department as to why the cheque was made out for part of the month and the balance was made out afterwards in a separate cheque. You do not remember any explanation for that? A.—No, sir, only their face; they looked at me.

Q.—They looked at you? A.—The clerk.

Q.—Which clerk? A.—The clerk you referred to.

Q.—The head clerk? A.—No, the one you are referring to.

Q.—I did not refer to anybody, I referred to officials. Don't read my mind, please, because you are reading it wrong. They looked at you. Which way did they look at you? A.—Well, he was surprised.

Q.—Who was he—the fellow that looked at you as if he were surprised? A.—I do not know; he left the Department—a lawyer.

Q.—Did you know Mr. Young? A.—No, it was not Mr. Young.

Q.—Someone that left the Department. Was he the man that handed you the cheque? A.—No, he is the one that handed me that \$70 cheque.

Q.—He gave you the \$70 cheque? A.—That is the man; I told you.

Q.—Where was he? A.—He was next door.

Q.—In the Department? A.—Oh, yes.

Q.—And who handed you the \$25 cheque? A.—I do not remember.

Q.—That is a kind of blank, blank altogether—a complete blank. A.—Well, I don't remember.

Q.—Well, it is a blank. And the man who handed you the \$70 looked at you as if he were surprised? A.—No, when I said I looked at the \$70.

Q.—But you said he looked surprised? A.—Yes; he looked at me.

Q.—He looked at you, perhaps not surprised. And what did he say, if he said anything? A.—He said: "Mr. Gariepy has drawn the balance."

Q.—He told you that Mr. Gariepy had drawn the balance. Now you are actually swearing that, are you? A.—Eh?

Q.—You are actually swearing that he told you that Mr. Gariepy had drawn the balance of the month's pay? A.—I swear positively.

Q.—Can you tell us who that clerk was? A.—Eh?

Q.—Can you tell us who that clerk was? A.—I tell you I do not know his name.

Q.—He was a lawyer down there, was he? A.—Yes.

Q.—And was in the Department then, of course? A.—Yes.

Q.—And he told you that Mr. Gariepy had drawn the balance of the month's pay? A.—Yes.

Q.—And you do not know whether you were surprised or not when you got the \$25 cheque? You do not remember? A.—You go too fast.

Q.—When you got the balance you do not remember whether you were surprised or not? A.—I was surprised because I went to Mr. Gariepy and protested.

Q.—But when you got it were you surprised? A.—Not surprised; I had earned it; it was my salary.

Q.—Were you surprised when you got the \$25 cheque? A.—I do not remember if I was surprised.

Q.—You do not remember anything about it? A.—No.

Q.—You do not remember getting it, as a matter of fact? A.—No.

Q.—Would you know the name of the clerk that told you that Gariepy drew the balance of the month's pay if I gave it to you? Was it Mr. Logan? A.—Yes, sir.

Q.—Do you know that he is a practising barrister down at Vermilion now? A.—I do not know.

Q.—But Mr. Logan is the man who told you when he handed you the \$70 cheque that Mr. Gariepy had drawn the balance of the month's pay? A.—I swear to that.

Q.—Did you, on that trip to the southern part of the province you spoke of the other day, did Mr. Collison give you any instructions as to going there when you went down to assist the new inspector? Did Mr. Collison have anything to do with your going? A.—Yes, sir.

Q.—That new inspector, I believe, was a returned soldier? A.—Yes, sir.

Q.—So far as you know he had done no inspecting before that? A.—No, sir.

Q.—And you went down to start him off and another man from the Department went down to start another man off assessing? A.—Yes, sir.

Q.—And you stayed down how long? A.—Well, I think about a week. I cannot swear but I think about a week.

Q.—And did you before you went, think there was anything peculiar about your going? A.—There was—yes.

Q.—Before you went? A.—Yes.

Q.—What did you think was peculiar about it? A.—Well, there was mirth.

Q.—Mirth when? Mirth before you went? A.—Yes.

Q.—Among the employees? A.—Especially one.

Q.—Didn't you tell us the other day that was after you came back? A.—No, no.

Q.—You did not? A.—No.

Q.—Didn't you tell us there was apparently some mirth after you came back, that you noticed nothing before you went away? A.—Before?

Q.—Yes, is not that substance of what you told us the other day? A.—No; I told you that—

*Q.—Well, go on. A.—Let me.

Q.—I am asking you now—didn't you tell us the other day under oath that you did not observe any mirth or anything of that kind until after you came back? That is my question and I want your answer? A.—I say that I observed some mirth before; but after, it was more general.

Q.—Didn't you tell us the other day that it was after, that you observed it? A.—Oh, no.

Q.—You told us that after you came back the boys were laughing at you about your trip or something? A.—Yes, that will explain, if you want to know the truth. When I came out from Mr. Gariepy of course I guess I was happy.

Q.—Came out where? A.—From the office. Yes, I was happy, and therefore told my friends that I was going.

Q.—That is it? A.—Yes.

Q.—And then you went? A.—And they started right then.

Q.—What did they say about going on a trip? A.—Yes, and I remember Mr. Lawrence referred to that.

Q.—Just before you went or afterwards? A.—Before.

Q.—What did he say? A.—Well, I don't remember exactly but it conveyed the impression—

Q.—But you told them you were going on the trip? A.—Yes.

MR. EWING: What impression did it convey?

MR. MACKAY: Well, I am not interested in his impressions. They are decidedly subjective and they are not evidence. I only want evidence on the record. I think Mr. Ewing understands that. Was that a usual thing to send an experienced man with a green man when the green man started assessing these wild lands? Was that a usual thing to do? A.—They did.

Q.—They did in your case? A.—I will tell you—in my case I had one but I coached him myself.

Q.—You coached the other fellow? A.—No,—coaxed. I said: "Come with me, come with me."

Q.—When you started to go assessing did the other man go with you or help you any? A.—When I first went to Lac la Biche?

Q.—You did not go assessing there, first. When you went to assess, I am speaking of; you said it was at Lac St. Anne; did a man go with you or instruct you in any way? A.—Yes.

Q.—And to come back to that, what were your impressions when these fellows were laughing at you? They want to know what were your impressions. Or did you have any particular impressions?

MR. EWING: Yes, the impression Mr. Lawrence gave him.

MR. MACKAY: It is not really evidence. Had you any impression when they were chaffing you before you went away? A.—I had.

Q.—What were they? A.—I could not swear to them being absolutely substantial.

Q.—Oh, that valise—that was rather funny. Where did you lose that valise on the trip up north? Where did you lose it? A.—I would be abler to tell you where it was, you see—the person that found it—rather than where I lost it.

Q.—Do you know where you lost it? Where did you first miss it? Come now, be frank. Where did you first miss your valise? Let us not sidestep. Where did you first miss your valise? A.—In Vegreville.

Q.—After you got off the train? A.—No.

Q.—After you got back home. You first missed your valise in Vegreville? A.—Yes.

Q.—Where were you when you missed it? A.—We stopped in front of the hotel.

Q.—In the auto? A.—Yes.

Q.—You had gone from here to Vegreville in the auto? A.—Yes.

Q.—And where did you next see it and when? A.—When I came back from the Beaver River district.

Q.—And was it in your room where you were living or had somebody brought it to you or what? A.—There was a letter telling that it had been found.

Q.—Where was it from? A.—The letter was from Tofield.

Q.—Did you get your valise? A.—Oh, yes.

Q.—Where did you get it? A.—They told me in the letter.

Q.—Never mind the letter. Where did you get the valise? Was it sent in to you or did you go for it or what? A.—I went for it.

Q.—To where—Tofield? A.—No, at the station here.

Q.—You had in your valise when you were going up—what? A.—I had my clothes for a few weeks.

Q.—Any papers? A.—I had my files.

Q.—What files? A.—My wild lands; and my grip in the valise.

Q.—You told us Mr. Chapman spoke at a meeting with Mr. Gariepy. That is right? A.—Yes.

Q.—Were you at the meeting? A.—Yes, sir.

Q.—Did you know what Mr. Chapman had been doing for a year before that, in the fall of 1916? Did you know that he had been Official Reeve; that the Council had been put out and that he had been Official Reeve for the municipality up there—the one in which he spoke? A.—No, sir.

Q.—Were you at the meeting? A.—Yes, sir.

Q.—You knew that charges were brought against him, at least that complaints were made that the old Council would have run the municipality better than he did, and there was dissatisfaction? A.—No, sir.

Q.—But you know he talked about those municipal affairs and about the accounts and how much they had been in debt and what he had done, at that meeting? A.—No, sir, he did not.

Q.—What did he talk about? A.—Well, he spoke, you see. First he came to me before the meeting.

Q.—I am asking about what he said at the meeting? A.—But that will explain to you, you will see.

Q.—Go on then. A.—He came to me and he said: "Mr. Gariepy wants me to speak, I don't know what to say," and I made him the skeleton.

Q.—You made him the skeleton of a speech, did you? What skeleton did you make him, now? Do you remember what the skeleton was? A.—Well, I remember the first plank.

Q.—What was the first plank? A.—"They are all Englishmen," I said, "It would be advisable to start with a few words on the war."

Q.—And what was next? A.—He did not go much further because he was so timid?

Q.—He was not used to speaking? A.—No.

Q.—Did he speak on the municipal affairs as a result of the questions raised? Perhaps you would not know the result of what he did. But did he speak of the municipal affairs and of his work as Official Reeve and the trouble they had and so on? A.—No, sir.

Q.—You have a clear recollection of what he spoke of? A.—Yes; I had something to do with it.

Q.—And you say that he did not go into the questions of finances and of how the Council had been in debt and what he had done as Official Reeve? A.—No more, because——

Q.—All right. Then you mentioned Mr. Whiston's name and told us he played an organ. Will you tell us where he played the organ? Was it at a man's house? It was at a man's house? A.—Yes.

Q.—Not in a church? A.—No.

Q.—Do you remember whose house it was in? A.—No, sir, I do not.

Q.—Were you there yourself? A.—No, sir.

Q.—Oh, it was something you heard? A.—He told me.

Q.—That he had played the organ, and people were singing? At a man's house one night? A.—Yes, he told me it was the way to get votes.

Q.—To play the organ? A.—To have a good time with the people.

Q.—Then you came back from that northern trip and you were not paid your expenses by Mr. Gariepy. Is that right? A.—By anybody.

Q.—Not by Mr. Gariepy? A.—No.

Q.—Did you have any difficulty with Mr. Gariepy about these accounts, as to their correctness and honesty? A.—No, sir, never.

Q.—None. He did not raise the question with you as to whether the accounts were honest and that you would have to explain them? Or anything of that kind? A.—No, sir, I swear that positively.

Q.—Did you ever go back to him again after you had interviewed him once? Did you ever go back to him about your expenses? A.—No.

Q.—You do not recall? Don't you understand my question? A.—Yes, I do, but I am thinking. I do not remember.

Q.—You came down from that northern trip and you presented certain accounts of expenses and so on of what you paid out, to Mr. Gariepy, didn't you? A.—Yes, the accounts were presented.

Q.—You say there was no difficulty over that. And he did not raise objection as to their honesty? A.—I swear positively.

Q.—I will put it this way—wanted further information? A.—No. The only thing I was told was this by Mr. Perrie.

Q.—I am not talking about Perrie, please; I am talking about Mr. Gariepy. Can you tell me why you never went back to him again to get paid, if you thought you ought to be paid? A.—I did not say I did not go back. I said I did not remember.

Q.—Is that what your memory is? If you thought that you ought to be paid \$50 or \$100 or whatever it was—you cannot remember whether you went back or not? A.—You do not know our relations. It might surprise you that I did not go back.

Q.—Well, have you an explanation as to why you did not go back? Why didn't you go back? A.—Because he is my class mate and when he says something why——

Q.—You accept it? A.—Well, I don't accept it always, habitually, but I am very prudent not to embarrass him, that is, I don't say that in that case.

Q.—Let us understand your attitude. You are telling us that then and now you were very careful to try not to embarrass Mr. Gariepy; is that it? Is that your mental attitude—you are very careful not to embarrass Mr. Gariepy? A.—Certainly.

Q.—And have you that attitude towards him yet? That is your turn of mind yet—you do not want to embarrass him? A.—And he knows it.

Q.—Can you give any further explanation? You did, I will assume, come down and you had accounts for expenses that you paid. Something occurs and you are not paid—between you and Mr. Gariepy. Can you give any explanation that you had not given why you never went back to get that money? Can you give us any explanation why you never went back for that money? A.—Well, you see, you may find it strange; that is my explanation. Do you want me to give the explanation why?

Q.—Well, if you have any. If not, we will go on. A.—Well, I considered this, that there are two parts in a Government.

Q.—Yes, several parts. A.—Yes, but listen! Do not interrupt me if you want to hear the truth.

Q.—Go on. A.—There is popular sovereignty and efficient administration.

Q.—Yes? A.—He came to me. I was not efficient administrative as a wild land assessor.

Q.—Go on. A.—Well, I was his tool.

Q.—His tool? A.—Yes; I was not a unit by myself.

Q.—Just a mere tool of Gariepy's? A.—Yes; within 24 hours I could be on the streets if he wanted; I was not a permanent employee.

Q.—You were on the permanent list, you know. You were not temporary? A.—I was not an expert.

Q.—But you were appointed by order-in-council? A.—Therefore my only recourse was to Mr. Gariepy.

Q.—And that was the only reason you never asked him again for the money? A.—Yes; he was the absolute boss, because there was not efficient administration on my part. I was not a unit by myself.

Q.—What were you? A.—I was a continuation of this man—of popular sovereignty.

Q.—You were a continuation of popular sovereignty. Let me understand. Is that your explanation? A.—Yes.

Q.—Mr. Gariepy was the head? A.—He was absolute.

Q.—He was absolute—the head? A.—If I had been an expert I would have been independent because I would have represented efficient administration.

Q.—But seeing that you were not an expert? A.—I was at his mercy.

Q.—You were only a continuation of the absolute? A.—Yes; that is the defect of our system.

Q.—And is that the only explanation of why you did not go back again to claim money that you said was owing you? A.—Yes.

Q.—Just because he was the absolute and you were only a continuation? A.—Yes; that is because I had relations with him. He was my class mate and I wanted to give him absolute freedom to develop his own individuality.

Q.—You wanted to give him absolute freedom to develop his own individuality? A.—Yes.

Q.—And you would develop yours, as the continuation? A.—No. I was at his mercy; within twenty-four hours I might be on the streets.

Q.—You were in the position any other civil servant was. He might dismiss you the same as any other? A.—Absolutely.

Q.—But you had studied law for three years? A.—No.

Q.—But one year, pardon me; and philosophy? A.—Yes, and theology.

Q.—And you had been a priest for several years? A.—Yes.

Q.—And you had taught school? A.—Yes; and I study regularly eight or nine hours a day.

Q.—And after that, you want us to believe you were nothing? A.—Oh, no. I do not believe that I am nothing. But I understand the term, which many of the employees do not, and therefore I make up my conscience.

Q.—Some cannot understand, and you do? A.—Well, after all, the studies you say I have made.

Q.—And you tell us you have a friendly feeling for Mr. Gariepy yet? A.—I can state on my oath that there is not a man that loves him more than I do.

Q.—I see; the greater love, and so on? A.—And the first one to spend an hour with him was me, and I am on my oath.

Q.—And you are now helping him to develop his individuality, is that it? I am asking you, do you think now in all this, that you are trying to help Mr. Gariepy to develop his individuality? Is that the idea? A.—Yes, and we have a classical example in history.

Q.—What is the classical example in history? A.—You have men in our political life, you may have known perfectly well the persons who surrounded them, and they made great achievements. Take Sir John A. MacDonald.

Q.—And who else? You take Sir John A. MacDonald as your model? A.—I do in many things.

Q.—You have friends here. When you were at Dr. Boulanger's office in Vegreville were you there alone before you left teaching? A.—Yes, sir.

Q.—You went alone? A.—Yes, sir.

Q.—You got a certificate? A.—Yes, sir.

Q.—That you were not in very good health? A.—Yes, sir.

Q.—Have you got that certificate yet? A.—No, sir.

Q.—That was all to help you get away from your position as teacher and to get into the Department, was it? A.—No, sir; it was to get a few weeks.

Q.—To get a few weeks away? A.—Yes.

Q.—Anybody go to the office with you—to Dr. Boulanger's office? A.—No, sir.

Q.—You had seen Mr. Gariepy in Vegreville, had you? A.—Yes.

Q.—Did you go to Dr. Boulanger's office the same day? A.—No, sir.

Q.—That is what I thought. You went home to your school, and how long was it after that that you came out and went to Dr. Boulanger's office? A.—A few days.

Q.—A few days after; I see.

MR. EWING: I have here apparently all your salary cheques. Where did you get all your cheques except the first one? Where did you get them? A.—They were given to me by—

Q.—By someone in the office? A.—Yes, they were delivered to me personally—a man would go around.

Q.—But the first cheque you found in Mr. Boulanger's possession? A.—Yes.

Q.—What did he say about why he had it? A.—Well, I went to him as I told you when I spoke to him about my cheque.

Q.—You spoke to him about your cheque. What did he say? A.—Well, I told you the other day.

Q.—Well, just tell it to me again. A.—He just showed it to me and I went to take it and he held it.

Q.—He drew it back? A.—Yes.

MR. MACKAY: That is exactly the story we went over before.

MR. EWING: Oh, yes, I know. Don't get nervous.

MR. MACKAY: Oh, I am not getting nervous. Go on! Go on!

A.—You want it?

MR. EWING: Yes, I do. A.—He told me it was customary to give the first cheque to the Minister, and I said: "Take it."

Q.—Was that all the conversation that took place? A.—Oh, yes.

Q.—Did you make no enquiry as to how or why it was customary to give the first cheque to the Minister? A.—No, I did not.

Q.—You did not say anything? A.—Not a word.

Q.—Did you ever say anything else to anybody about this custom of giving the first cheque to the Minister? A.—At the time?

Q.—At the time or at any other time. I mean did you discuss that with anyone else afterwards? A.—With anybody else?

Q.—I mean with any of your fellow employees. A.—You mean to say I was in the building?

Q.—While you were in the building, yes? A.—No.

Q.—You did not. Well, didn't it strike you as rather an extraordinary custom? A.—Oh, yes; but I did not speak of it because Mr. Gariepy is my class mate.

Q.—And you thought for that reason he was entitled to your first month's cheque? A.—No, but I did not want to spread any news against him.

Q.—You knew it was not a proper thing to do, didn't you? A.—Well, I had heard—

Q.—What had you heard? A.—Well, of course it does not refer. But it will explain, I will tell you this if you want to listen.

Q.—Well, tell me—yes? A.—Well, when I was in another province—

MR. MACKAY: Do you want to go into that?

MR. EWING: No.

MR. MACKAY: Well, wait a minute.

A.—I spoke with somebody and he told me that a Minister of the province had not much—

MR. MACKAY: Wait! Wait! Now, Mr. Chairman, we do not want to go into another province. I do not know who he is.

A.—Well, that is all right, but it will explain, you see.

THE CHAIRMAN: Tell us what happened in this province; never mind the other province.

A.—Oh, well, let it go then.

MR. EWING: You said nothing further to Mr. Gariepy about this—about holding back this cheque? A.—Never, I never mentioned it.

MR. MACKAY: He does not appear ever to have mentioned it to Mr. Gariepy.

MR. EWING: You never mentioned about this custom to anyone in the Department? A.—Never.

Q.—Did anyone else in the Department ever mention to you the custom about keeping the first month's cheque? A.—Never.

Q.—Had you ever had any business dealings with Mr. Boulanger before this? A.—No.

Q.—Did you owe Mr. Boulanger any money at any time? A.—Never.

Q.—Did you ever owe the Minister any money? A.—Never.

Q.—Did the Minister ever owe you any money? A.—Yes.

Q.—I am not speaking now of the money that may be due, that you thought was due you for your expenses in connection with the election work. Did he ever owe you any money outside of that? A.—Yes.

Q.—Did he owe you any money at the time on the 29th November, 1916—that is the date when you got this first cheque? A.—I don't think so.

Q.—You do not think he owed you any money. It was subsequent to that he owed you some money? A.—Well, I don't think so.

Q.—How did he come to owe you any money? A.—Well, he asked me to loan him money.

Q.—And did you loan him money? A.—Yes.

Q.—How much did you loan him? A.—Well, \$300.

Q.—This was after this first cheque was given? A.—Well, I think so.

Q.—Did you pay him in money or by cheque? When you loaned him the \$300 did you give it to him by cheque or in cash? A.—Well, I had some money in the bank, and he would prepare the cheque and I would sign it.

Q.—What is that? I do not follow. A.—He knew that I had some money in the bank.

Q.—You had told him you had some money in the bank? A.—Yes; and he would prepare a cheque and say: "Sign it."

Q.—He would draw a cheque on your account? A.—Yes.

Q.—And asked you to sign it? A.—Yes.

Q.—Did you sign it every time the Minister told you to? A.—Well, yes.

Q.—About how many cheques did you sign in that way that were drawn by the Minister? A.—I do not know. I think that I loaned him—I cannot swear, but I think I loaned him \$100 at a time.

Q.—I see, the \$300 was not all in one loan. It was given at various times? A.—Yes.

Q.—Do you know where Mr. Boulanger is now? A.—I think he is in Monville; I do not know.

Q.—Practising law there? A.—Yes.

Q.—I don't think you made this quite clear. Can you tell us why this \$70 cheque—why you did not get your full month's salary in May, 1917? A.—Well, the only thing that I thought was that Mr. Gariepy needed the money and that he had drawn it.

Q.—And then you went to him subsequently and he got you the cheque for \$25—this cheque?

MR. MACKAY: No, he did not say that. That is very leading. He did not remember a thing about how he got it. That is not a fair way of questioning.

MR. EWING: Well, if it is not true he can say so.

Q.—Do you remember at all how you got this cheque? A.—I remember only the fact I was paid.

MR. MACKAY: The abstract fact.

MR. EWING: I would like you to refresh your memory on that point. That is the cheque for \$25 for the balance of your salary. Do you remember anything about that \$25 coming to you? A.—No, I think I even stated on Friday that I did not know the right amount, if it was \$25 or if it was \$35. I think I said that.

Q.—But you have no recollection of how this money came to you? A.—No, I have not.

Q.—That \$25. I see it is endorsed by the McNeill Tobacco and News Company Limited. Have you any remembrance of ever going in there personally to cash a cheque? A.—This cheque?

Q.—To cash any cheque? A.—Or any cheque—yes, I have cashed recently a cheque.

Q.—Do not misunderstand me. Any of your salary cheques from the Department? A.—No.

Q.—You cannot recall that? A.—No.

Q.—You said that Mr. Lawrence spoke to you at the time you went south on that expedition to near the Montana boundary; but you cannot recall his exact words? A.—No.

Q.—You can recall the substance of his conversation, can you? A.—Well, now as I am I have no definite conception.

Q.—Well, just tell us what conception you have, even although it may be a little indefinite? A.—Well,——

Q.—What did Mr. Lawrence say to you? A.—Well, I do not remember his exact words.

Q.—I am not speaking of his exact words. Tell me, Mr. Lussier. You are not called upon to remember the exact words a man spoke to you two years ago. I am asking you now what he said to you in substance? A.—Well, I told you a moment ago that it conveyed to me—

Q.—What did it convey to you? That is all you can tell—just the circumstances apart from the exact words? A.—An impression.

Q.—What impression did it convey to you? A.—That I was better on the prairie than in the Parliament Buildings.

Q.—Why was it better to be on the prairie than in the Parliament Buildings? A.—Really I cannot swear that; I cannot because it is too——

Q.—It is too dim in your memory? A.—Yes.

Q.—And you got your impression that it was better out on the prairie than in the Parliament Buildings? A.—Yes; that there was something which was not correct, you see.

Q.—And you had better move out? A.—Yes, especially when I saw Corberand over there.

Q.—What had he to do with it? A.—He was coaching another man.

Q.—He was coaching another man to do what? A.—Well, to do assessment business.

Q.—Where was he coaching? A.—Down south.

Q.—And your idea was that Corberand was going out for the same reason that you were going out?

MR. MACKAY: Well, aren't we carrying this awfully far, about what his ideas were? We have gone beyond that line of evidence. If he remembers anything, let him say it.

MR. EWING: Apart from quoting the exact——

MR. MACKAY: What he thinks is not evidence.

MR. EWING: What the man is told is evidence whether it is quoted in the exact words or in substance.

MR. MACKAY: That is an entirely different thing. You are asking for his ideas or impressions.

MR. EWING: And his impressions are evidence, too, in cross-examination.

MR. MACKAY: There is no rule of evidence which makes impressions given under cross-examination, evidence. That is a mistake that ninety per cent. of lawyers make. There is more latitude allowed, but it is not evidence.

MR. EWING: Was Mr. Corberand present when Mr. Lawrence spoke to you? A.—No.

Q.—Had you discussed this with Mr. Corberand? A.—No, sir. The only thing Mr. Corberand told me was in Lethbridge. I received a message to come back to the Department and we spent the night together and we spoke about the Minister and so forth and so forth and Mr. Corberand told me, he said: "You had better, Mr. Lussier." I said: "Why should I be called back so abruptly?" and he said: "Mr. Lussier, you had better go and see Mr. Gariepy." He said: "There are a lot of people that you think to be your friends and they are all the time speaking against you to Mr. Gariepy."

Q.—Had you completed the work you were sent down there for when you were called back? A.—Well, I did not do any work.

Q.—What? A.—I did not do any work. I was with Mr.—I do not remember his name—the Wild Land Assessor, and we went around and he knew as much as I knew.

Q.—He knew as much as you did. You were sent down to coach him. You knew that was a blind, didn't you? A.—I do not mean to say it was a blind. But I say I was not a man to go to coach a Wild Land Assessor.

Q.—Why were you not a man to do that? A.—Because I did not know; I am not posted on these things.

Q.—And how long were you down there—about a week you said? A.—Oh, yes.

Q.—You wasted that week; then, practically, as far as this province was concerned? A.—Well, now, I saw that part of the country.

Q.—Yes, that is a very pleasant thing to see—that part of the country. A.—No, but it may help me to help my province later on.

Q.—It is a great benefit to you. Did the province draw any benefit from it apart from the benefit that you would later convey to the province? A.—Well,—

Q.—Did you do any work during that time? A.—No work at all.

Q.—Who called you back? A.—Well, we reached a place—I do not know the name of the place, but I know Mr. Leffingwell was the proprietor of the hotel—yes, I am sure Mr. Leffingwell, and we were going to stay there, and my companion said: "I am going to telephone to Mr. Corberand because he made me promise to telephone; let us go." So I went with him and he came out of the box and said: "Mr. Lussier, you are wanted right away at Edmonton." So I said: "Will you take me to Lethbridge tonight; can we make it?" and he said "Yes." And we went to Mr. Leffingwell, and he had given us a room and excused ourselves, and we went to Lethbridge.

Q.—And you came directly to Edmonton, then, did you? A.—Well, of course. Let me see. Yes, I think that I took the train the same night; I am not sure, but I think I did.

Q.—You came up to Edmonton; the session was over when you got here? A.—Yes, I met a few members.

Q.—You met Mr. Hoadley and Mr. Kemmis? A.—Yes, but I did not speak to them. They did not know me, but I saw them.

Q.—Where did you see them—at the station? A.—I think I saw them in Calgary. I am not sure.

Q.—On your way out to do election work in Beaver River you took your wild land tax files with you, didn't you? A.—Yes.

Q.—What did you take them for? A.—Well, I had assessed before going there and I took them with me because I said to myself: "At night I may not have anything to do among these farmers, therefore I may review my files; when I come back this part of my assessment will be totally done."

Q.—Oh, yes. Did those fellows refer to assessment work in Beaver River where you were? A.—Oh, no.

Q.—By the way, how was this assessment work done that you were doing? A.—Well, that is the way I did it.

Q.—Was it all done in the office? It was all done in the office, was it?

MR. MACKAY: He explained differently the other day—he went to the country and got people and got the best information he could.

MR. EWING: I beg your pardon.

MR. MACKAY: Yes, he said he went up and made enquiries.

MR. EWING: He said he went up and made enquiries?

MR. MACKAY: Yes, from people he knew.

MR. EWING: I do not want the witness prompted.

MR. MACKAY: Oh, no, I am not prompting him. Don't accuse me of that. I am not developing his individuality a bit.

MR. EWING: I will put the question straight to you, so we will get what we want. Do you inspect the land that you assess? A.—You see, it is the way I told you. The names are in a big book and we make our files and we write from those books and then we have, for instance, a hundred names. Well, I know, for instance, that Mr. So-and-So—Mr. Chapman for instance—knows such part of a district very well. Well, I am on good terms with him. I go to him and say: "What about this man here?" He will say: "This is well cultivated and so forth," and he gives me this.

Q.—That is done in the office here? A.—Yes, and some part of it, for instance Lac la Biche, these men know Lac la Biche on their finger tips. Therefore, when you leave—

MR. MACKAY: You mean the men up there?

A.—No, the men here, Mr. Corberand and Mr. Chapman, and Mr. Verreault had been foreman a good many years, and therefore when he has gone through your list, especially a man like me, you know what it is.

Q.—You know it is correct? A.—Well, I would not swear—but if he tells me, for instance, that such a case is doubtful, well I will go and I will try to make it sure.

MR. EWING: How do you mean you will go? A.—Well, when I go assessing I will go to that place a special trip, even if it takes me one week, and the point will be—

Q.—Your system is you take your information from the man in the office except there is some doubt about some land. Is that it? A.—Well, I won't lay down that thing as a rule. You see I speak of myself.

Q.—I am only speaking of yourself and what you did there. You made out a list from Mr.

Corberand? A.—When I went to Lac la Biche—the first time I went to Lac la Biche, I went the first time as assessor. I can state that I went with my files and I came back and my files were the same.

Q.—Did you inspect any lands on that occasion? A.—It was in winter.

Q.—Then you mean you could not make any inspection? A.—Well, I don't know if an expert could. But you see, in my case, I reasoned it out this way: Let us suppose that I want to know if this man has cultivated 40 acres; well, I cannot see to discover it with the snow. If I go to his neighbour and if his neighbour has a grudge against him he will say: "It is not 40, it is 18," and the other one, if he is on good terms, he will say: "He has got 65."

Q.—And you cannot rely on what the men say? A.—I am only speaking of myself.

Q.—And you found it was impossible to make reliable assessments in winter time? A.—Myself?

Q.—Yes, speaking of yourself, now. A.—Yes, it was impossible. I suppose I could have made a few cases; I could have struck the right man.

Q.—You mean in some cases if you had made proper enquiries you could have got correct information? A.—Yes.

Q.—Who sent you out on this occasion in the winter time to Lac la Biche? A.—Well, who sent me out?

Q.—Yes? A.—That is the way it happened. Mr. Gariepy called for me as I tell you, and said: "You will go to Lac la Biche," and I did not know it if was one day or two days. I was with the other assessors and Mr. Young came and he said: "Have you got anything prepared for Lac la Biche?" Of course I thought of the Minister and I said: "Well, it is all right," and I said, "Yes."

Q.—That was not in your district? Lac la Biche was not in your district? A.—Oh, yes it was.

Q.—Oh, yes, it was; the east end was in your district. How long were you gone, again? I think you told us the other day, but I have forgotten. A.—Well, about a month.

Q.—And your files were the same when you came back? A.—Absolutely.

Q.—That is, you made no change? A.—No. It had been assessed here by Mr. Verreault and Mr. Chapman; they had reviewed it, what was cultivated and what was not cultivated and the assessment, \$500, \$800.

Q.—And you could not make sufficient investigation to enable you to change the assessment, on this trip? A.—No. The point was that I went there as a political agent.

Q.—You were not assessing, anyway. And you could not have assessed if you had wanted to, because it was in the winter time? A.—Well, to say absolutely that I could not have assessed—I could have gone to a man there.

Q.—But it was not a proper time to assess. You will say that, won't you? A.—Well, I am not an expert.

Q.—It was not the best time to assess. You will say that, won't you? A.—You are referring to me?

Q.—Your own opinion? A.—Oh, no; especially in my case.

Q.—In your case, and with your knowledge, the winter is no time to inspect land for assessment purposes? A.—When it is covered with snow—no.

Q.—Some question was raised about your being a permanent employee. You understand what I mean? A.—Not at all.

Q.—There was a roll kept of the employees of the Department, wasn't there, or do you know that? A.—A rule?

Q.—A book in which the names are entered—a list? A.—Yes.

Q.—And it is signed by the employees? A.—Yes.

Q.—How often do they sign it, do you know? A.—Twice a day I think.

Q.—Is that the only book that is signed by employees, or do you know that? A.—Well, I think it is the only book.

Q.—Did you sign this book? A.—No; I was forbidden by Mr. Gariepy.

Q.—When did Mr. Gariepy forbid you to sign this book? A.—Well, in the beginning, he said not to sign the book.

Q.—Did he give you any reason for not signing it? A.—Well, of course he did not want the clergy to know that I was here working.

Q.—Did he say that or are you just inferring that? A.—Oh, no, he told me. We spoke of it quite often.

Q.—And do you mean to say that from the time you came into the employ of the Government, sometime in November or December, 1916, until you left, that you never signed the book at all? A.—Oh, no, never.

Q.—So far as you know, did all the other employees sign it? A.—I do not know. Let me see. No, I think that when we were upstairs—when we were upstairs my fellow-workers—the Wild Land Assessors—would go upstairs without signing.

Q.—The Wild Land Assessors would go upstairs without signing? A.—Without signing.

Q.—Why wouldn't they sign? Do you know? A.—Well, I think that they took it as a privilege, I suppose.

Q.—A privilege that belonged to them? A.—Well, that is to say, they could get along without going and signing it.

Q.—Yes, no doubt. Did you ever discuss the not signing the book with your fellow employees? A.—When it came that I had to work with the ordinary employees the others would come in and sign the book and they would remark that I didn't sign it. And I think I spoke to some intimate friends that I knew, but I did not speak to the ordinary clerks, but I did to those whom I thought were doing the same work as I was—political work. I told them about my case, that he forbade me signing it in the beginning—"Now, although I have changed and am no longer a Wild Land Assessor, I think it is preferable to wait till he gives me an order."

Q.—Were you a Wild Land Assessor at the beginning? Was that your work when you first went in, in November, 1916? A.—Yes, I think so.

Q.—And at that time the Wild Land Assessors did not sign—none of them; they went upstairs without signing? A.—You see, the Wild Land Assessors were on the road. They were not back; therefore they could not sign.

Q.—But I am talking of the times they were here—they did not sign when they were in the buildings here, when they came on and when they came off? A.—I won't say that everyone of them did sign; that is to say, I cannot swear that, but I think that I can swear that a few of them would come upstairs without signing.

Q.—What time was it you changed from a Wild Land Assessor to an ordinary clerk? A.—Well, I do not know if my change was official, but I know I discontinued to go on the road.

Q.—When did you discontinue to go on the road? A.—Well, I don't know exactly the month. I came back after the election and I went back assessing for a few weeks and then I came back and—

Q.—And from that time until the end you were in the office here all the time? A.—That is it.

Q.—Your regular duties were in the office? A.—Yes.

Q.—And you were with the regular clerks? A.—Yes.

Q.—And all the regular clerks, so far as you know, signed the roll? A.—Yes.

Q.—But you did not? A.—No, because I had been told not to sign it.

Q.—And it was a matter of remark among your fellow clerks that you did not sign it. It was remarked among them? A.—Oh, yes.

Q.—When you went south on that trip to coach somebody near the Montana boundary, your expenses of course were paid by the province, were they? A.—Yes.

Q.—And you put in your vouchers when you came back and paid them in the regular way? A.—Yes.

MR. MACKAY: You were pretty intimate, of course—you had some men in the Department you were pretty intimate with, naturally, I suppose—fairly intimate. You know what I mean by "intimate"? A.—Yes.

Q.—Fairly intimate and friendly with some of the boys in the Department, surely? A.—No.

Q.—Perhaps you are putting a different meaning on the word "intimate" than I do? A.—Yes, in French it means "intime."

Q.—Well, we won't put it in French. But at all events, you tell us this story, that the first month's cheque was kept from you, that it was a custom in the Department and you never mentioned that to a soul living, around that Department? Is that right, you never mentioned it to a soul? A.—Never.

Q.—You never mentioned the question of why it was such a custom, or was there such a custom. You never mentioned it to a soul in the buildings? A.—Never.

Q.—And can't we put a little sense into this with reference to the Wild Land Assessors signing the book? A man would be out assessing wild land and would come in in the middle of the day whenever the train came in and perhaps in the afternoon would go out to another part. And these men never signed that book at all, did they? They would be away two or three weeks and come back in the middle of the afternoon or forenoon and go out perhaps in the afternoon and such a man was not checked up by that time book at all, was he? I mean the Wild Land Assessing bunch—they were not signing that book, were they? A.—You see—

Q.—Well, were they signing it or not? A.—Yes, but I do not believe in swearing something without an explanation.

Q.—Well, your explanations are all right; but it is a simple fact, were the Wild Land Assessors signing that book at all or not? That does not need any explanation. A.—In a general way, you mean?

Q.—Any old way—signing it? A.—Well, you see—

Q.—Well, do you know whether they were or not? It only needs yes or no.

MR. EWING: No, it does not need yes or no. Pardon me. Some may have been and some may not have been. How is he going to answer it by yes or no?

A.—Well, that is the way.

MR. MACKAY: You can't tell. Is that it? A.—Well, I do not know what you mean when you say I cannot tell.

Q.—Can you tell whether the Wild Land Assessors were required to sign the book at all? A.—Whether they were required?

Q.—Do you know whether the Minister or Deputy Minister or Chief Clerk required them? A.—Do you mean to say if it was the rule?

Q.—Yes; if they were supposed to sign it? A.—Yes, if it was the rule of the Department that they should sign it.

Q.—Do you know whether it was or not? A.—I do not.

Q.—No. Thank you. I thought you did not. You were not talking to Mr. Hoadley in Calgary? A.—No.

Q.—He did not help you to develop your individuality and you did not help to develop his? A.—No.

Q.—Or Mr. Gariepy's either? A.—No.

Q.—You made a loan of \$300 to Mr. Gariepy, but he paid you back afterwards? A.—Every cent.

Committee adjourns till 10 a.m. Thursday, March 6th, 1919.

THURSDAY, MARCH 6, 1919. COMMITTEE RESUMES AT 10 A.M.

B. G. CONNOR, called and sworn, testified as follows:

MR. EWING: Mr. Connor, you are a real estate agent in Calgary? A.—Yes, sir.

Q.—How long have you been in that business there? A.—Since 1905. I have been out of it for a while; but on and off I have been at it since 1905.

Q.—You were in that business in 1917 and 1918? A.—Yes.

Q.—Do you know Mr. Daley? A.—Yes.

Q.—He was Publicity Commissioner for the Alberta Government? A.—Yes, I happened to know him.

MR. MACKAY: Hotchkiss was Commissioner, but Daley did the work.

MR. EWING: You had some dealings with him, had you? A.—Yes.

Q.—About when did you first have dealings with him? A.—About March 10, 1918.

Q.—Did he come to your office or where did you see him? A.—He came to my office.

Q.—Had you had any previous correspondence? A.—Prior to him coming to my office?

Q.—Yes. A.—Yes, he wrote me a letter.

Q.—Have you got the correspondence with you? A.—I think it is here. I saw a letter just now; that is the letter (referring to letter on file).

Q.—That is addressed to Mr. Spaulding? A.—Mr. Spaulding was my agent.

Q.—What is the name of your firm? A.—Connor and Farleigh.

Q.—And had you known Mr. Daley before the letter of March 31st, 1918, came to your office? (Referring to said letter.) A.—No, sir, I had not.

Q.—You had not known him? A.—No.

Q.—Did you know of him in any way? A.—No, did not know him at all.

Q.—Did he see you when he came to the office? A.—Yes, Mr. Daley saw me when he came to the office.

Q.—And what happened? A.—He approached me and said he was representing high interests, and I asked who they were and he said he could not tell me, at that time. And then he said these people he was bringing up from the States, or were coming up from the States, they would want about 50,000 acres or maybe more; had we the land? I said, "Yes, we have the land." He then said that there would have to be more than a dollar an acre put on.

Q.—Put on for what? A.—I will tell you later. I will tell you exactly in my own way, if you do not mind. And I asked him the same question—"What do you mean by that?" And he said: "I understand you get a dollar an acre commission." I said: "Yes." And he said, "Well, there will have to be more than that put on." And I asked him why, because I did not like the idea of putting money on lands that were listed. "Well," he said, "it had to be split." I asked him with whom. At that time he did not tell me. He would not tell me.

Q.—Did you ask him? A.—Yes.

Q.—What did he say? A.—He said he could not tell me, that the people who had to have the money were people whose names he had to keep quiet.

Q.—Just before we leave that. Did you make any arrangement at that time about putting on more than a dollar an acre for commission? A.—No, sir.

Q.—You did not agree to his proposal? A.—No, sir, I did not agree to any proposals Mr. Daley made in any shape or form in any way, not even to the splitting of the one dollar commission.

Q.—And he left your office then? A.—At that time, yes.

Q.—And when did you see him again? A.—I could not exactly say, but it was very soon after.

Q.—Did he come to your office? A.—Yes, sir.

Q.—Did you send for him? A.—No, sir, he came of his own accord.

Q.—And what happened? A.—He broached the subject again and asked me if it was possible to put \$4 or \$5 an acre on the land, as it had to be done; otherwise we could not do business.

Q.—What did you say? A.—I told him anything was possible.

Q.—Yes? A.—I did not agree to it because I figured on selling the Mennonites at a dollar an acre.

Q.—Did you know then it was the Mennonites? A.—No, not at that time. But I was figuring on selling it at a dollar an acre.

Q.—And what happened? A.—We arranged to go down and see the land.

Q.—Where was the land? A.—North of Taber.

Q.—Now you say "We arranged." You mean you and Mr. Daley? A.—Mr. Daley and I arranged to take these men down to see the land.

Q.—Take what men? A.—Well, whoever they were.

Q.—You had not seen them at that time? A.—No, but you see at the beginning of this conversation I did not know who they were, but then he led me to know who they were. He said they were Mennonites coming up from the States.

Q.—Mr. Daley told you then that they were Mennonites? A.—Yes.

Q.—And did you arrange to go down there? A.—Yes.

Q.—When did you go? A.—April 21, 1918.

Q.—Is that the land that is commonly known as the Judson land? A.—That is the place, yes.

Q.—Who went with you? A.—Mr. Rowan went by car. Mr. Jack Gibson went with me on the train.

Q.—Who was Mr. Rowan? A.—He was an agent working for me.

Q.—Jack Gibson went with you? A.—Yes.

Q.—Did Mr. Daley go with you? A.—He went with the Mennonites. They went ahead of us.

Q.—And you arranged to meet down there, did you? A.—Yes.

Q.—And you met down there? A.—Yes.

Q.—And what happened down there? A.—Well, we went down to the land.

Q.—Who is "we"? A.—Mr. Daley and the Mennonites.

Q.—What Mennonites? A.—Paul J. Wiff and the other names I cannot remember.

Q.—How many others? A.—About seven or eight in a body—Mennonites.

Q.—And who else? A.—Mr. Rowan and Mr. Gibson and myself.

Q.—Was that the entire party? A.—Another party in from Taber; I cannot think of his name. Mr. Rowan can give you his name, but I cannot give his name; a local man from Taber.

Q.—And what happened down there? A.—I showed them the land. As a matter of fact they went around themselves; I did not go around with them at all. I was with Mr. Judson all the time, and they came back and they seemed perfectly satisfied.

Q.—And then what happened? A.—They asked me the price and I quoted them the price.

Q.—By the way, what price did you quote? A.—Well, that is a very difficult question. There was so much land held by so many different owners that we had to get certain prices, but I quoted a price on the Judson place which was definite, allowing for one dollar an acre commission. I think the price was \$24 an acre. I am not quite sure of that just now, but I told them how the other land laid and I would sell it for a dollar an acre commission.

Q.—And what happened? A.—Mr. Daley came to me behind some buildings. He took me behind some buildings.

Q.—What kind of buildings? A.—Oh, I think it was a kind of a corral and stalls for thoroughbred cattle and so forth.

Q.—That is, away from the others? A.—Yes.

Q.—And what happened? A.—He asked me how much I had put on the land.

Q.—And what did you tell him? A.—That I was selling for one dollar an acre commission.

Q.—And what happened? A.—He said there would be nothing doing.

Q.—And what did you say? A.—I told him well if there was nothing doing to take his Mennonites away.

Q.—Tell us the whole of the conversation. A.—And later on—they went off the land at that time. We have left out lots of conversation that happened in the office prior to this.

Q.—I asked you for all that and I thought you had given it. You told me you would tell your story. A.—I meant to but you asked me a few questions and it took me off the story.

Q.—We will finish up this conversation now. What other conversation took place behind the corral? A.—Mr. Daley said there had to be \$4 or \$5 an acre put on this land and I told him I could not see it at all. And he said it had to be because there were so many people digging in on the thing that his share was very small; he mentioned \$2,000.

Q.—That would be all he would get out of it? A.—Yes.

Q.—And what about the balance? A.—At that time he did not say who the balance was going to, but he had previously told me it was going to The Honourable Duncan Marshall.

Q.—Where had he told you that? A.—In my office.

Q.—Before you went down there at all? A.—Yes.

Q.—Was that on the occasion of the first or second visit? A.—The second visit.

Q.—You told us on the occasion of the second visit he asked you if it was possible to put on \$4 or \$5 an acre, as it had to be done? A.—Yes.

Q.—And you said anything was possible, but you did not agree to that? A.—No, I did not agree to that. It is a remark I make to most any of them. If a man makes a suggestion to me and I don't agree with it, I say anything might be possible. It doesn't mean anything; it means I will wait for further developments.

Q.—How did you come to discuss the vendor? A.—Well, I had to handle the money. Mr. Judson was a very honourable man and would not stand for anything more than a dollar an acre commission and we had talked it over with Mr. Judson and I asked Mr. Daley who to make the cheque payable to and he said Mr. Michael Scott, in Winnipeg.

Q.—You knew him? A.—Yes, I met him the same way as I did Mr. Daley. And I told him I would not make out such a cheque for such proportions and to people whom I did not know where it was going. I told Daley I wanted to know exactly where the commission was going, that I was not doing anything that would not look like a square deal. I told him I would not do a deal that would not stand the light of publicity, or words to that effect.

Q.—And what was said further about the dividing up of this commission? A.—He told me it had to be—that there were people higher up who were digging in who had to have the major portion of it, his portion was very small. And I asked him who the higher ups were and for a while he would not tell me, and after a while he told me The Honourable Duncan Marshall was one of them.

Q.—Did he say who the others were? A.—No. And at that time he was very secretive and told me not to say a word and I told him I would not promise either way, and I just acted discreet and would not promise anything.

Q.—Do I understand you to say that Mr. Daley wanted the cheques payable to each individual who was actually to get the money? A.—No, sir; it was payable to Mr. Michael Scott, in Winnipeg.

Q.—Mr. Daley wanted the whole commission paid to Mr. Michael Scott? A.—Yes.

Q.—And you wanted to know the particular parties to whom the commission was payable and you would make the cheque direct to them? A.—Not exactly.

Q.—Just tell us, then. A.—I could not see why I should take the responsibility of putting \$4 or \$5 an acre on this land and give Mr. Michael Scott the money and me probably be the goat. I could not see it at all. So I wanted to know where the money was going to. I did not intend to do at no time—the moment that graft was put up to me. I had an idea the way the man acted; the man came in very secretive and acted in a peculiar manner and did not want to be seen on the street.

Q.—Did not want to be seen on the street with you? A.—No. Later, he got a little bolder—later on he did. And later on I found out he had been to other real estate men and there was nothing secretive about it.

Q.—You said at that time he did not mention anyone else. Did he later on, at a subsequent time? A.—The second meeting he mentioned Mr. Marshall, and on the streets of Lethbridge after he had taken the Mennonites away.

Q.—You were talking in Lethbridge with him? A.—They caught the two o'clock train in the morning, and we jumped in the car, Mr. Gibson and I, and we beat the train to Lethbridge.

Q.—And what happened in Lethbridge? A.—I met him on the street outside of Pilling and Company's office and I told him I was going to expose the thing if possible and I told him I had telegraphed the Honourable Duncan Marshall about this thing. And may I tell you how I felt about it?

Q.—Yes. A.—If the Honourable Duncan Marshall was never mentioned, why should I telegraph him at that date?

MR. MACKAY: Well, tell us the facts; tell us what occurred.

MR. EWING: Do not get off the story. You met him on the street at Lethbridge? A.—Yes, on the street of Lethbridge, April 23rd. The twenty-second was my birthday and that is how I remember it so well. On the following day on the streets of Lethbridge I met Mr. Daley and I told him I was going to expose this thing if it was possible and told him what I had done, that I had already telegraphed The Honourable Duncan Marshall. And he told me at that time I just forget the exact words—I have my mind, what he said.

Q.—Well, give us the substance of it. A.—He said it would do me no good; the Government was behind him. And that was the last, just at that period, I had to do with Mr. Daley.

Q.—Now go back to the question I was asking you a moment ago. You said he did not at that time mention anyone else. Did he at any other time mention anyone else? A.—No, only Mr. Scott and Mr. Marshall.

Q.—Those were the only two he mentioned? A.—Yes, they were the only two.

Q.—Did you have any correspondence with him after your interview in Lethbridge ended? A.—I do not think so.

Q.—Did you have any—you did not see him again? A.—Oh, yes.

Q.—Where did you see him again? A.—He came in the office after that, several times.

Q.—Several times? A.—Yes.

Q.—On what business? A.—On the Mennonite business.

Q.—What did he want? A.—He was talking about the Baxter Reid place at Olds and asked us if we could do anything on that, and I told him no, I did not want to do with any business at all, I did not feel it warranted any effort at all. But he told me if we could sell the Baxter Reid place we had a good show to sell the Baxter Reid place as Mr. Marshall wanted the Mennonites to take the Baxter Reid place.

Q.—And had you the Baxter Reid place listed? A.—Well, it was listed with most any place. It was just a question of knowing that you could get it.

MR. MACKAY: Had you it listed? Can't you answer yes or no? A.—No, we hadn't it listed.

Q.—That is what he asked you.

MR. EWING: But you were going on to explain you could get it if you wanted it? A.—Yes. I do not think there was any definite listing of the Baxter Reid place anywhere. It may

have been, but it was generally known among the real estate agents that it was for sale. I don't think there was even a definite price on the thing.

Q.—Did you make any attempt to sell the Baxter Reid place? A.—No, none whatever.

Q.—Did you know that Mr. Daley had in mind the Mennonites as possible purchasers of that place? A.—Oh, yes, absolutely. He said Mr. Marshall wanted the Mennonites there; that it was his constituency and there was all new machinery to be bought and so much cattle to be bought and he intimated that there would be a commission on this machinery as it all had to be new.

Q.—There would be a commission on the machinery as well as on the land? A.—Exactly.

Q.—You say he was back to your office several times? A.—Yes.

Q.—Was it all in connection with the Baxter Reid ranch? I mean subsequent to the Judson deal? A.—No; it was in connection with the High River ranch.

Q.—What about the High River ranch? A.—Well, at that time I had shown the Mennonites—Mr. Paul Wiff and another man whose name I cannot think of—this letter, and had convinced them that they were not getting a square deal, or had partially convinced them. They were very childlike and it takes a whole lot to convince them, but once you convince them it takes a lot more—

Q.—They stay with it? A.—Yes.

Q.—What about the High River ranch? A.—Mr. Wiff came to me and appointed me his agent at fifty cents an acre, and I took them to High River and they made an offer for this High River ranch. I just forget the price now, but I went down and made the offer. They were to put up \$100,000 immediately and the balance in thirty days.

Q.—Did that sale go through? A.—No.

Q.—What had Mr. Daley to do with that transaction? A.—At first he had nothing to do at all, but he broke in on it.

Q.—Tell me how he broke in on it. A.—He came into the office. You see, some of the Mennonites I had convinced and some I had not. But those I had not convinced came up and saw me personally and they were negotiating for this High River ranch with me alone and Mr. Daley then came up with some more Mennonites and Mr. Scott followed. Mr. Daley was ahead because he was called to Edmonton on account of this letter. I believe he told Mr. Spaulding. But he was ahead and he came and saw me in the office. And Mr. Scott telegraphed me to meet him at Aldersyde with the balance of the Mennonites, those that I had not convinced, and we all went over the property.

Q.—Was Mr. Daley there? A.—Yes, Mr. Daley was there—yes.

Q.—How did he come to be there? A.—Well, he came down with us to High River.

Q.—And he went out with you to see the ranch? A.—Mr. Daley went out with us to see the ranch and Mr. Scott had met us at Aldersyde.

Q.—Did Mr. Daley make any arrangements with you about commission in connection with that? A.—Oh, yes, he took me to one side and said it was the same understanding we had had previously; although we had had no understanding. I actually had no understanding.

Q.—Did Mr. Daley mean the same thing you meant? A.—Well, I kept very quiet through the whole procedure because the whole thing from the start looked—

Q.—Well, tell us what was said. A.—He said he wanted me to split the commission fifty-fifty. That is what he said.

Q.—And what about the amount of the commission? Was there a discussion about that? A.—Yes, quite a discussion.

Q.—What was the discussion, briefly? A.—He said we could even get \$7.00 an acre on that. It was worth the money.

Q.—How many acres were in that? A.—5,000 acres.

Q.—That would be \$35,000, if my arithmetic is correct?

MR. MACKAY: That might be wrong.

MR. EWING: And he wanted half, did he? A.—Yes.

Q.—Did he advance any reasons for wanting half? A.—No, it was understood.

Q.—Did he give you any arguments why you should give him half? A.—No; he said it was under the same arrangement we had previous.

Q.—He needed half?

MR. MACKAY: Let us get what he said, now?

MR. EWING: Well the same arrangements he had before.

MR. BOYLE: I do not think a member of the Committee should give evidence.

MR. EWING: Well I was hurrying him on.

MR. MACKAY: It was quite plain what he said before.

MR. EWING: That transaction did not go through? A.—No, that transaction did not go through.

Q.—Did Mr. Daley take part in any other transactions in connection with the Mennonites or with anybody else? A.—With any real estate men, you mean?

Q.—No; with you, in connection with any other propositions? A.—No, none whatever.

Q.—Was he in your office after you were through at the High River ranch? A.—Yes.

Q.—More than once. A.—Yes.

Q.—What was he in for on those occasions? A.—He wanted to know if we had any other lands, and we mentioned some Rockyford properties.

Q.—Where is Rockyford? A.—On the C.N.R. 60 miles east and north of Calgary.

Q.—What about Rockyford lands? A.—I was very much disgusted and it was very immaterial to me whether he ever came back again or not.

MR. MACKAY: Tell us what occurred. Do not tell us what is in your mind. Tell us what was said.

MR. EWING: Do not give reasons for your action. Just tell us what happened? A.—Well, I am not an experienced witness and I am trying to get the conclusion.

Q.—Well, that is what every witness does and I am just telling you what to do now. A.—It was generally understood that I cold-shouldered him. I did not want anything more to do with him. Mr. Rowan tried to do business with Mr. Daley afterwards; he thought I was wrong, but I would have nothing to do with him and I told him at that time I would not have anything to do with any properties at all.

Q.—And what did Mr. Daley say to that suggestion of yours? A.—Nothing. Nothing that I can remember, anyway.

Q.—And that was the last business you had with Mr. Daley personally? A.—I think so.

Q.—Now you said you sent a telegram to the Minister. Where did you send that telegram from? A.—From Taber.

Q.—To whom did you address it? A.—The Honourable Duncan Marshall, Edmonton.

Q.—Do you know the date? A.—April 22nd—my birthday—1918.

MR. EWING: Now, Mr. Chairman, this is a case where perhaps, strictly speaking, we should have—I notice Mr. Craig is here and the proper person to produce the telegram is of course, the Deputy Minister. I do not want to ask this witness concerning its contents and I do not want to recall him because I presume when he is through here he wants to go back to Calgary. Perhaps it would be better to have this witness stand aside a minute and we can call Mr. Craig.

H. A. CRAIG, called and sworn, testified as follows:

MR. EWING: You are the Deputy Minister of Agriculture? A.—Yes, sir.

Q.—And you have been Deputy Minister for some years? A.—Yes, since 1915.

Q.—And on April 22nd a telegram is said to have been sent from Taber addressed to the Minister of Agriculture concerning Mr. Daley, an employee of your Department. Have you got that telegram? A.—No, I have not.

Q.—Do you know where it is? A.—I do not know.

Q.—Do you know that it was received? A.—I do not know.

Q.—You do not know whether it came into the office or not? A.—I have been told that it did.

Q.—Who told you? A.—The Minister's secretary.

Q.—You were custodian of the files, of course, of your own Department? A.—Yes.

Q.—And have you searched the files? A.—I have.

Q.—And it is not on the files? A.—It is not, as far as I can find.

Q.—But it would be—— A.—I would expect that I could find it—yes.

Q.—And did you ever see it? A.—I never saw it.

Q.—Do you know its contents? A.—Yes, Mr. McIlmoyle, the Minister's secretary——

MR. MACKAY: Is Mr. McIlmoyle here?

MR. EWING: Yes. I will have to get secondary evidence of this telegram from Mr. Craig.

MR. MACKAY: He did not see it and Mr. McIlmoyle did.

MR. EWING: Did you do anything as a result of this telegram coming into the office? A.—Yes, I did.

Q.—What did you do? A.—I wired Mr. Daley to come to Edmonton.

Q.—Have you a copy of that wire? A.—Yes. (Produced.)

(Reading): "Edmonton, April 23rd, 1918. R. J. Daley, care of J. Weir, Provincial Labour Bureau, Lethbridge. Important business demands that you return to Edmonton at once. Please wire reply. H. A. Craig."

"Confirmation" is written at the left-hand side of it.

Q.—What happened as a result of that telegram? A.—Mr. Daley returned to Edmonton at once.

Q.—And what happened? A.—He saw me.

Q.—Concerning what did he see you? A.—Concerning his connection with the sale of land to Mennonites.

Q.—That would be about a day or two following that telegram, would it? A.—I expect it would be the next day.

Q.—As soon as he came back, anyway? A.—Yes.

Q.—He came back at once? A.—Yes.

Q.—And what took place between you and Mr. Daley? A.—Why, I discussed with him his actions in connection with the sale of land and questioned him as to whether he had offered to take or accepted any commission from agents.

Q.—What did he say? A.—He denied it emphatically.

Q.—It is only right that I should tell you this—that Mr. Daley stated in evidence that he

saw no one in connection with your Department in connection with the sale of lands or commission, except Mr. Hotchkiss, and he did not see Mr. Hotchkiss until June of 1918.

MR. BOYLE: I do not think Mr. Daley swore that at all. He was being cross-examined as to whether or not he had any understanding with anybody in the Department as to dividing commissions in connection with these lands and he swore positively he had not. But he was never examined as to conversations he had with officials or instructions that he had received in particular.

MR. EWING: I am quite correct. I examined him with care.

MR. BOYLE: Well, I was present.

MR. EWING: Nevertheless, I repeat that I examined him with care and he stated that he had seen no official except Mr. Hotchkiss, and he had not seen Mr. Hotchkiss until June. That is my memory of what he said.

MR. BOYLE: It was never asked whether he had any particular conversations with Mr. Craig or not, or whether he got any instructions from Mr. Craig in connection with this. He was never asked about this interview.

MR. EWING: He was asked whether he had seen any other official in connection with this and he said the only official he had seen was Mr. Hotchkiss.

MR. BOYLE: He said he had no understanding with Hotchkiss or anybody else.

MR. EWING: You are speaking of something entirely different to what I am speaking of.

THE CHAIRMAN: I think you had better go on, Mr. Ewing.

MR. EWING: If Mr. Daley said that, that of course is not correct because he had a conversation with you the day after he came up here or immediately following his coming up here. A.—He had a conversation such as I have mentioned—yes.

Q.—And that ended your connection with the matter? A.—Yes.

Q.—You did nothing further in connection with it? A.—I did nothing further. I said that Mr. Daley must not go back until he would see the Minister.

Q.—Must not go back where—to Lethbridge? A.—To Lethbridge.

Q.—You told Mr. Daley that? A.—Yes. That ended my dealings in the matter.

Q.—Did he go back? A.—Not to my knowledge.

Q.—Did he see the Minister? A.—I do not know that.

Q.—Did you instruct any person connected with your Department, or anyone else, to see the sender of this telegram in connection with the matter? A.—No, I did not.

Q.—Do you know who sent the telegram? A.—Yes.

Q.—It was a Mr. Connor? A.—Yes.

Q.—Did you instruct anybody, either connected with your Department or otherwise, to see Mr. Connor in connection with this matter? A.—I did not instruct him, but Mr. McIlmoyle told me he had 'phoned him and got the information. Therefore, I did not think it was necessary.

Q.—When did Mr. McIlmoyle tell you that? A.—I would not be sure whether it was before or after I saw Mr. Daley. It would be just at that time.

Q.—Did Mr. McIlmoyle do this without instructions from anybody as far as you know? A.—Yes, as far as I was concerned. Mr. McIlmoyle is not under my control. I did not give him instructions.

Q.—There would be no letter or other memorandum containing instructions, on your file, would there? A.—I would not expect so.

MR. MACKAY: What file ought that letter properly to be on?

A.—Immigration and Colonization.

Q.—Who was in charge of that office? A.—Mr. Hotchkiss.

Q.—Where is Mr. Hotchkiss now? A.—In the southern States somewhere.

Q.—Is he in the service or out? A.—He is out of the service.

Q.—When did he go? A.—I should say about November.

Q.—Did you search that particular file on which this telegram ought to be? A.—I did.

Q.—Is that telegram there? A.—No.

Q.—Who would have access to that file? Would Mr. Daley have access to it? A.—There is no reason why he should not.

Q.—It would be in the office formerly occupied by Mr. Hotchkiss, I suppose? A.—It was kept there until it was killed in January. All last year's files were killed and placed away in a vault.

Q.—It would be kept in the office until the end of the year and then put in the vault? A.—And for a while after.

Q.—Who, to your knowledge, were in that office about April 22nd, 1918? You are the Deputy Minister. A.—Mr. Hotchkiss was there all the time.

Q.—What was his position? A.—He was Chief Publicity Commissioner.

Q.—Who else? A.—His stenographer would be there part of the time and Mr. Daley would be there part of the time.

Q.—What was Daley's position? Had he any particular title or what? A.—I am not sure what his order-in-council calls for.

Q.—He would be under Hotchkiss? A.—He was under Hotchkiss.

Q.—And would there be anybody else regularly in that office? A.—Not regularly.

Q.—Now, just about April 22nd, where was the Minister, The Honourable Mr. Marshall?

A.—He was not in Edmonton.

Q.—Do you know where he was? A.—I do not know.

Q.—Do you know how many weeks he had been absent from the office about that time?

A.—I would not tell you definitely, but he had been away a considerable time.

Q.—Well, he will have to speak for that himself. Had he been away for some time before that incident about the telegram coming? A.—Yes.

Q.—What was your first knowledge that the telegram had come? A.—Mr. McIlmoyle advised me he had received information, I believe he told me from Lethbridge, by telegraph.

Q.—And as a result of what he told you you telegraphed Daley to come home? A.—I did.

Q.—And Daley saw you after he came back. And did he deny he ever attempted to get commissions or had got them? A.—Yes, he did.

Q.—Denied trying to get them, emphatically? A.—Yes.

Q.—Did you believe Daley? A.—I did.

Q.—I understand he put it all over the Committee here the first day—I was not here—and they thought he was a martyr. Did he put it over you? A.—Yes.

Q.—You did not take any steps to dismiss him at all? A.—No.

Q.—And you had an interview then with Mr. McIlmoyle? A.—Yes.

Q.—And he told you he had telephoned? A.—Yes.

Q.—Did he tell you anything further? A.—Nothing of importance.

Q.—I see. A.—I do not recall.

Q.—You were evidently going to check up Daley's story, or did you believe his story? A.—I believed his story absolutely.

Q.—And you did not think it necessary to go further? A.—I did not.

Q.—But Mr. McIlmoyle in some way did tell you he had telephoned the sender or someone about it? A.—Yes.

Q.—Well, he will have to speak for that. Do you know anything further about this that you can tell us? A.—I do not think there is anything of importance other than such things as convinced me that Mr. Daley, at the time, was innocent.

Q.—He had told you a story. Was there anyone else that helped? A.—Why, he said that these men had mistaken him for a man by the name of Scott who had a right to accept commission, it was a matter of mistaken identity, and I naturally believed him.

Q.—I see. He said there was a man by the name of Scott who had a right to take commissions and they had mistaken him for Scott? A.—Yes.

Q.—And that Scott had a right to take them. Mistaken identity—alibi.

MR. BOYLE: Do you know anything about the reasons for Mr. Hotchkiss leaving the service? A.—Entirely on account of ill health, as far as I know, Mr. Boyle.

Q.—What condition has Hotchkiss' health been in for some years? A.—He has been partially paralyzed for some three years, and under great strain looked after his work, and much to the injury of his health, I should say.

Q.—When he left the service do you know any reasons why he left the country? A.—Entirely for his health, so far as I know.

Q.—He has permanently left the Department? A.—Yes, he has resigned.

Q.—How long was he in the employ of the Government? A.—I could give you approximately—since 1908 or 1909.

Q.—During the last year or two of his work how did he get around when he was partly paralyzed? How did he manage his work? A.—There were times when we sent for him with a car in the morning and he stayed till night and we brought him back in a car to his house.

Q.—Could he walk? A.—At certain times he could not; other times he came on crutches.

Q.—When he could not walk, how did you manage to get him into the buildings? A.—He could walk a short distance on a pavement, but it was dangerous to walk outside, and this was in the spring of the year when it was icy; we sent for him in a car.

MR. MACKAY: He was home-sick before that. How long was he home-sick when he could not get out at all? A.—He was away for his health for four or five months and I should say he would be in the house for three months at one time.

Q.—He was practically used up before he quit? A.—He was.

MR. BOYLE: Did he recover from his paralysis here? A.—He never recovered. As a matter of fact, the doctor told him he could not recover here.

MR. EWING: You do not suggest to this Committee that the telegram disappeared from the files by reason of anything Mr. Hotchkiss did? A.—Oh, I have said nothing to indicate that. I do not know how it disappeared. I am not here to say it was never on the file, because I never saw the telegram.

Q.—I quite understand. My honourable friend was asking who had access to the file and I presume he was exhausting the possibilities as to who had taken it.

MR. MACKAY: I did not mean to suggest he took it. I know he went away for the good of his health. That is clear.

MR. McILMOYLE, called and sworn, testified as follows:

MR. EWING: You are private secretary of the Minister of Agriculture? A.—Yes.

Q.—And you have been for some years? A.—Yes.

Q.—You were during the year 1918? A.—Yes.

Q.—On the 22nd of April, 1918, a telegram is alleged to have been sent by Mr. Connor,

addressed to the Minister, concerning a Mr. Daley. Did that telegram come to your office?
A.—Yes, I received it.

Q.—What did you do with it when you received it? A.—I discussed the matter with Mr. Craig, the Deputy Minister.

Q.—Did you show Mr. Craig the telegram? A.—I would not say positively, but I told him the contents, anyway.

Q.—You discussed the contents? A.—Yes; I would not swear positively; it is about a year ago now.

Q.—And what conclusion did you come to? A.—Well, I called the man who sent the telegram and tried to get him on long distance telephone. I finally got him, or he got me, I don't know which. I put in a call for him and I believe I got him.

Q.—You believe you got who? A.—Mr. Connor.

Q.—From Edmonton here? A.—Yes. I think I got him in Lethbridge—spoke to him from Lethbridge. I asked Mr. Connor regarding the telegram and the circumstances in connection with it and I told him—he enquired in this telegram if Mr. Daley was an employee of our Department and if so had he a right to accept commission on the sale of land. That, in my recollection, was the contents of the telegram. I told him he had no right to accept any commission on the sales of land made through his office.

Q.—Where is that telegram? A.—I have endeavoured to locate the telegram on Mr. Hotchkiss' files—on the Publicity files. It was not there. So I called the Canadian Pacific Telegraph here in the city to see if I could get a copy of it. The agent informed me that the files are destroyed after six months. So I phoned to the agent at Lethbridge to get a copy of it when I could not find it here, and he told me the same thing—that the files are destroyed in six months.

Q.—How do you account for the fact that it is not on your file here? A.—Well, anything of that kind coming in would be sent to Mr. Hotchkiss' office for filing as he was in charge of that particular branch. I could not say why it is not on the file now.

Q.—It is not on Mr. Hotchkiss' file now? A.—Not to my knowledge.

Q.—You have made an exhaustive search? A.—Yes.

Q.—And you would have discovered it if it had been there? A.—Yes.

Q.—And we may conclude it is not there. You can give this Committee no information as to what became of that telegram? A.—No.

Q.—And you can suggest no possible means of it getting off the file? A.—No.

MR. MACKAY: Do you say "possible"?

MR. EWING: Probable.

MR. MACKAY: You mean it would not slip off? Well, it is hardly fair to put that to him.

Q.—Can you tell me where the Minister, the Honourable Duncan Marshall, was at that date?

A.—He was at his farm at Olds to the best of my knowledge.

Q.—Had you occasion to telephone before that, or in what way do you know? A.—Well, I had been in communication with him at different times.

Q.—What condition was he in or what was he doing—do you remember? A.—I could not remember now.

Q.—Well, he will have to speak to that himself. He had been at Olds some time before?

MR. WEIR: What is the significance of that question—"What condition was he in?"

MR. MACKAY: It means exactly what it says—just exactly. and it is not intended to mean anything else.

Q.—The substance of Connor's telegram to the Minister, which you opened, I suppose?
A.—Yes.

Q.—You would open it as private secretary. Give it me again. A.—The basis was: "Is R. J. Daley an employee of your Department? If so, is he entitled to ask for commission on sales of land?"

Q.—Well, now, you telephoned this man that sent it? A.—Yes.

Q.—And you got—I suppose the best you can say—a man that answered for the man who sent it? A.—Yes.

Q.—And you had a discussion with him over the 'phone? A.—Yes.

Q.—What information did he give you? A.—That Daley was holding up some sale of land, a large block of land, asking for commission and because he would not give the commission the deal had not gone through. That is my recollection of what Mr. Connor said.

Q.—That Daley was holding up the sale of a block of land asking for a commission and because he did not get the commission the sale had not gone through? A.—Yes.

Q.—Was that the purport of what you got? A.—Yes. That is about a year ago now. I made no notes of it at the time. I have no recollection beyond that.

Q.—Did you discuss the matter with Daley? A.—I spoke to him after he came in.

Q.—Was that after you had been speaking with this man Connor or who you thought was Connor? A.—Yes.

Q.—Did you discuss with Daley what Connor told you? A.—I told him what had been in the telegram and that Connor had told me that he was holding up this sale of land.

Q.—You told him both? A.—Yes.

Q.—What did he say? A.—He said there was nothing to it—that there was nothing in it at all.

Q.—He denied it? A.—Yes.

Q.—Did he give any explanation to you? A.—I could not recollect any explanation. Mr. Daley had been in the employ of the Department a long time. I considered him an honourable and honest man. I accepted his statement.

MR. EWING: Did you discuss this matter with the Minister? A.—I reported it to the Minister and that Mr. Craig had gone into it with Mr. Daley, and told him what had been done and Mr. Craig considered there was nothing to it and Mr. Daley absolutely denied it and Mr. Connor furnished no additional proof and there was never anything further came from Mr. Connor to my knowledge.

Q.—And the Minister took no further steps in regard to it? A.—No, not to my knowledge.

MR. BOYLE: Did you give Mr. Daley any instructions as to his further actions? A.—No; I considered that was Mr. Craig's duties.

MR. MACKAY: Of course, if he denied it and you believed him you would not likely instruct him, would you? A.—No.

MR. B. G. CONNOR, recalled, further testified as follows:

MR. EWING: You sent a telegram to the Minister concerning Mr. Daley's demands for commission? A.—Yes.

Q.—And you asked him in effect whether he had any right to do that? A.—Yes.

Q.—What happened in consequence of that telegram? A.—I went to Lethbridge, and either I did telephone The Honourable Duncan Marshall.

Q.—Telephoned him? A.—Yes, but could not get him.

Q.—You tried to, you mean? A.—Yes, I tried to telephone him. And either he telephoned me or I telephoned him the second time—I don't know which. But we got into conversation—I got into conversation with, I guess it was this gentleman; I thought his name was McNamara, and he asked me whether Mr. Daley was asking for commission and I said "Yes," and he asked me what proof I had why I should make such a statement, and I said I had a letter and he asked me to forward the letter to The Honourable Duncan Marshall, and I said no, I would not forward the letter but he could have a copy at any time, and as far as I can remember that ended the conversation.

Q.—Were you ever asked for a copy of the letter? A.—No, sir.

Q.—You never heard anything further about it? A.—I never heard anything further about it.

MR. MACKAY: What was the name of your firm? A.—Connor and Farleigh.

Q.—And who else were employed or associated with you as assistants in the firm? A.—Mr. Rowan and Mr. Spaulding at that time.

Q.—And it was Rowan, Spaulding, yourself, and anybody else? A.—And Mr. Farleigh.

Q.—Was Farleigh there? A.—Yes, sir.

Q.—You and Farleigh being partners, and Spaulding and Rowan being assistants? A.—Yes, sir.

Q.—Probably salesmen, I suppose? A.—Yes.

Q.—Anybody else? A.—Mr. Gibson was going around with me; it was somewhat of a friendly arrangement; he had just come back from the front.

Q.—Was he in a business way at all, as employee, partner, or business connection with the firm or you? A.—He was assistant in the sale.

Q.—And would get paid for his work? A.—Yes.

Q.—Well, he was an employee, too, and personally being friendly with you? A.—Yes, personally.

Q.—But he was a salesman? A.—Yes.

Q.—On pay of some kind? A.—Yes.

Q.—And when did you first meet Mr. Daley? A.—Do you mean when I heard of him or met him?

Q.—Didn't you hear me? When did you first meet Mr. Daley? A.—About April the 10th, somewhere along there.

Q.—Where? A.—In my office.

Q.—In Calgary? A.—Yes.

Q.—That was last year? A.—Yes.

Q.—And you had never spoken to him before that? A.—No.

Q.—Did you have a letter from him before that? A.—Mr. Spaulding had a letter from him before that.

Q.—When? A.—I think March.

MR. EWING: Here is the letter of March 31st, 1918.

MR. MACKAY: And Spaulding would be in your firm's office when he got the letter. A.—Yes.

Q.—Did you see the letter then? A.—Yes.

Q.—Does this discuss the question of commission between you and him? A.—Yes.

Q.—And did you know he was an employee of the Government? A.—I thought he was Publicity Commissioner for Edmonton.

Q.—You thought that instead of being in the employ of the Government he was in the employ of the City of Edmonton? A.—That is what I understood at that date.

Q.—Did you know Mr. Scott before that? A.—No, sir.

Q.—He told you who Mr. Scott was? A.—Yes, sir.

Q.—Mr. Scott lived where? A.—I believe at Winnipeg.

Q.—And the purport of the letter is he was suggesting—does it go that far—a split of the commission between you and him? A.—A split between he and Mr. Scott on one side and myself on the other.

Q.—And you had that knowledge in March? A.—Yes, March 31st.

Q.—And you knew exactly the character of the man who was coming into your office on April the 10th, from that letter? A.—Yes, pretty well.

Q.—And you thought he was a paid servant or a commissioner from the City of Edmonton? A.—Yes, at that time.

Q.—And what occurred on April the 10th? A.—I would not say April 10th.

Q.—Well about then—you did say it? A.—Well, I say about. I want to be exact because I believe if I don't be exact you will nail me.

Q.—No chance; don't get clever. What occurred about April the 10th in the office? Let's get on. A.—Well, at that time he told me he wanted \$4 or \$5 an acre.

Q.—On what? A.—On the sale of any lands.

Q.—That would be any lands you had would be sold to whom? A.—He did not say at that time.

Q.—But any lands that you had that he would be instrumental I suppose in getting purchasers for, he wanted \$4 an acre commission for his end of it? A.—No, sir, he wanted \$4.00 an acre split.

Q.—Split even? A.—Yes.

Q.—An even split—50-50; that is right? A.—That is right.

Q.—On April the 10th who was present? A.—At that time I think Mr. Daley and I alone were there.

Q.—And were the Mennonites discussed that date? A.—No, sir.

Q.—Was Scott discussed that date? A.—Probably; I would not say.

Q.—Scott is mentioned in the letter I see? A.—Yes.

Q.—And you said what? What answer did you give to the proposition? A.—I did not give an answer. I told him to bring his men along.

Q.—That is a pretty good answer. He said to you in any case where he could be instrumental in securing a purchaser for lands that your firm had for sale, as its sale agent, that as a sale took place he would want to split \$4 or \$5 an acre? A.—\$4 or \$5.

Q.—And your answer was: "Bring your men along." A.—I said: "Bring your men along."

Q.—Anything else occur that day of any consequence—the substance of it? A.—I think that is all.

Q.—Any further communication with him? Any correspondence? A.—No.

Q.—When did you next have anything to do with him? A.—Sometime about April 20th.

Q.—What occurred that day? A.—He asked me if we had made arrangements about the Judson place, he wanted a map.

Q.—Had he mentioned the Judson place on his first visit? A.—Yes.

Q.—What was said about it? You told him you had it for sale? A.—Yes.

Q.—And that would be one of the places he said he wanted a \$4.00 split on? A.—Yes.

Q.—And then he came in and asked what? A.—He asked if we could deliver the Judson place; I told him yes, we had exclusive—

Q.—But he asked you about plans? A.—Yes, he asked about plans.

Q.—What was said about plans the first day? A.—He said at that time he wanted plans of the land.

Q.—On the first visit he wanted plans? A.—On the first visit he said he wanted plans showing the location of the buildings and how much was cultivated and stones and so forth and different objections and good features of it.

Q.—Giving the lay-out generally? A.—Yes.

Q.—He told you that and he came back the second day and asked you if you had the plans ready? A.—I think it was the same day, but the second time.

Q.—And did you tell him you had the plans ready or had not? A.—I said I had.

Q.—Had you prepared the plans in the meantime? A.—Yes.

Q.—The first time he was there, in order to carry out this deal, he wanted you to get plans of the land you had to sell? A.—Yes.

Q.—Showing where the buildings were and what land was cultivated and so on? A.—Yes.

Q.—And you agreed to getting plans? A.—Yes.

Q.—And he comes back on the second occasion and you had the plans ready? A.—Yes.

Q.—And did you give them to him? A.—I would not say that.

Q.—Would you say you did not? A.—No, I would not say I did not; I do not know.

Q.—Did you show him the plans? A.—Yes.

Q.—Did he have the plans over the ground before he went? A.—I could not say that.

Q.—Your memory fails you on that point? A.—Yes.

Q.—Had he looked over the plans which you had prepared between the two visits? A.—I may have sent him the plans for all I know.

Q.—You told me a minute ago you had prepared the plans? A.—Yes.

Q.—And on his second visit they would be prepared, whether you would send them by mail before or whether he came in and looked at them? A.—They were prepared.

Q.—At all events, they were prepared at his request? A.—Absolutely.

Q.—And the object of preparing the plans would be to show the character of the lands and the location of the buildings on the land you were prepared to sell, on which he had asked a \$4.00 commission to be split 50-50 with you? A.—Yes.

Q.—Did anything further occur on that second visit of his? A.—Yes.

Q.—What was it? A.—I kept asking him why so much an acre had to be put on. I did not like it.

Q.—Never mind telling us you did not like it. Tell us what was said. A.—I told him that.

Q.—Very well, go on. A.—And after a good deal of hesitation—you will understand this conversation took a long while, probably all afternoon.

Q.—Give us the substance of it. It was all about one deal and one commission? A.—Exactly. He said he had to split with men in the Government.

Q.—With what? A.—With men in the Government. And I asked him who the men were. He did not want to tell me for quite a while and finally he mentioned Mr. Marshall's name.

Q.—And did you still think, then, he was Commissioner for the City of Edmonton? A.—I did not know what to think.

Q.—What did you think? Your brains were still working? A.—I still thought he was Publicity Commissioner for the City of Edmonton.

Q.—You still thought he was Publicity Commissioner for the City of Edmonton? A.—Yes.

Q.—And he was going to split with members of the Alberta Government, or one member? A.—I could not tell what politicians will do.

Q.—I am not asking what you cannot tell. What did you think? A.—Well, I still thought that.

Q.—And did he name Marshall then? A.—Yes.

Q.—That he was to split with him? A.—Mr. Marshall was getting some of the money.

Q.—And Scott was to get part? A.—Yes.

Q.—And did he give the proportions? A.—No, except his own. He said he was to get \$2,000.

Q.—Out of what? A.—Out of commissions.

Q.—What commissions? A.—Well, the money in excess of the price to the owner.

Q.—Which owner? A.—Whoever they were.

Q.—It did not matter which land was sold or how much it was sold for or how much commission was in it, he was to get \$2,000. Is that your story? A.—About \$2,000.

Q.—It did not matter how much the land sold for or how much commission would be in it—without knowing the magnitude of the deal, he said he was to get \$2,000? A.—He mentioned his share was very small.

Q.—He was to get \$2,000 without specifying the total cost at which they would be sold? A.—You are trying to get me.

Q.—I am trying to get you to answer the question. A.—He said his own was very, very small, and I said "About how much would you get?" and he said, "I would not get more than \$2,000."

Q.—For what? A.—For exactly what he was doing.

Q.—For what? For what? For selling what? A.—For selling any of this land I put up to him.

Q.—Did that refer to the Judson? A.—Exactly.

Q.—To the whole or part of it? Did it refer to the whole Judson land? A.—It referred to any land that we sold the Mennonites.

Q.—He was to get \$2,000 out of any land you sold to the Mennonites and it was not determined by the number of acres sold or the value of the sale at all—not according to what he said? A.—That is right.

Q.—At that time did you think that was reasonable? A.—I took a look at the man; I thought he was quite honourable.

Q.—Did you think it was a reasonable proposition that, regardless of the amount or value at which it should be sold it should be the same amount? A.—I had no reason to think otherwise.

Q.—Well, did you think otherwise? A.—I can't tell what I thought. My mind was thinking very deeply at that time.

Q.—Was there anything more of any importance took place that day? A.—I can't think at this moment. There was a whole lot said.

Q.—But that was substantially what it was, I suppose? When did you go to the Judson land? A.—April 21st I left Calgary.

Q.—When, with reference to that second visit of his? A.—You asked me when I went or when my men went?

Q.—Didn't you go down? A.—I went on April 21st.

Q.—And did someone else go down? A.—Mr. Rowan went down. Perhaps he can enlighten you on that.

Q.—What is your memory? A.—We were doing a very large business and my memory—

Q.—This man Daley was there on a second visit? A.—Yes.

Q.—Have you any memory at all as to when Rowan went down with reference to that visit?
A.—No, I could not tell you.

Q.—It might have been two weeks or three weeks or a month or two months? A.—No.

Q.—Or a year or two years? A.—No.

Q.—It might have been a month? A.—It might have been a week or it might have been a month.

Q.—It might have been a month. Do you say that? A.—Well, my memory on that——

Q.—Would you say whether it may have been a month or not? A.—No, I won't say.

Q.—When were you down? A.—April 21st.

Q.—And when was his second visit? A.—Mr. Daley's?

Q.—Yes. A.—Prior to that.

Q.—When? A.—Between April 21st and March 31st.

Q.—Was not April 10th his first visit? A.—I did not say. I am trying to——

Q.—The letter would come likely early in April? A.—Something like that.

Q.—And you are putting April 10th the first visit? A.—Yes.

Q.—And could you put about the second visit, when that would be? A.—A few days later.

Q.—And you yourself were down on April 21st? A.—Yes.

Q.—And you had some knowledge of when they were down? A.—I knew they were down prior to that but I could not tell how long.

Q.—Well, it was only ten or eleven days at the outside when you were down and they could not have been down in a month? A.—He suggested——

Q.—You yourself were down on April 21st? A.—Yes.

Q.—How long before that were there men down? A.—I said I could not tell you.

Q.—A few days? A.—I cannot say. You understand I was not interested in this deal in no shape or form.

Q.—At all events who went down before April 21st? A.—Mr. Rowan.

Q.—Anybody else? A.—Not to my knowledge.

Q.—Who went with him? A.—I could not say.

Q.—Do you know whether he and Daley were supposed to go down together on that visit?
A.—May have been, I would not say for sure.

Q.—Were the Mennonites around that you know of while——A.—No, sir.

Q.—Was he to go down with Daley? A.—I could not say. Mr. Rowan attended to the thing before I did and he was——

Q.—Did you know whether he was going with Daley or not? A.—No.

Q.—Did he report back and say he had seen Daley down there? A.—Not to my knowledge.

Q.—Did he report back to you as to his knowledge of the visit at all? A.—Yes.

Q.—What did he say? A.—He said it was an excellent buy.

Q.—And did he tell you whether he had seen Daley there or not? A.—No; we had no exact reports, you know.

Q.—And was it as a result of something Rowan told you that you went down on the 21st?
A.—No, as a result of what Mr. Daley told me.

Q.—Did he come in a third time? A.—He may have been.

Q.—He was there about April the 10th and then he was in again? A.—Yes.

Q.—And saw the plans, and possibly get them, showing the buildings and so on, on this Judson place? A.—Yes.

Q.—And was it after he saw the plans that Rowan went down? A.—Prior to the plans.

Q.—And after he saw and got the plans you were down; but he had been in the meantime?

A.—You are making a third visit out of it, are you?

Q.—Had he been in the meantime? A.—I would not say for sure.

Q.—He was there on April 10th? A.—Yes.

Q.—And was there when he was supposed to see the plans? A.—Exactly.

Q.—And then he was there again? A.—Well, I could not say whether he was or not.

Q.—Who did you go down with on April 21st? A.—With Mr. Gibson.

Q.—From your office? A.—Yes.

Q.—Anybody else from your office? A.—Not with Mr. Gibson and I, I do not think.

Q.—Was anybody else from your office down? A.—Mr. Rowan was down there.

Q.—How did he go? A.—I think he went in an automobile.

Q.—That makes three from your office? A.—Yes.

Q.—Where are these Judson lands? A.—North of Taber.

Q.—How far? A.—About nine miles.

Q.—There were three from your firm? A.—Yes, sir.

Q.—And Mr. Judson the owner was there? A.—Yes.

Q.—Was Mr. Daley there? A.—Yes.

Q.—And Mr. Scott there? A.—Yes.

Q.—And those seven or eight Mennonites? A.—Yes.

Q.—And they went over the lands? A.—Yes.

Q.—And you discussed the question of commission with Mr. Judson? A.—Yes.

Q.—What did you discuss with him? A.—Mr. Judson would not stand for anything more than one dollar an acre.

Q.—What did you discuss? What did you discuss with him? A.—I discussed with him how much commission he would pay.

Q.—You asked him how much commission he would pay? A.—Yes.

Q.—And he said one dollar an acre? A.—Yes.

Q.—Did you try to get more? A.—Yes.

Q.—How much more did you try to get? A.—I tried to get five per cent. instead of a dollar.

Q.—And what value was he putting on the land? A.—I think \$23 an acre net, and we put up \$24. I think that is right.

Q.—How much land was there in the Judson place—how many acres? A.—I forget how much in the Judson place. It was 5,000 altogether.

Q.—Do you mean including other lands? A.—It was very indefinite. These people would take anywhere to 50,000 acres.

Q.—Do you know how many acres were in the Judson place? A.—I do not know.

Q.—Do you mean by the 5,000 that was Judson? A.—That was the amount of acres we had tied up at the time.

Q.—Did it include other owners? A.—I do not think it; I am not sure.

Q.—He offered a dollar an acre, and you tried to get more, for commission? A.—I tried to get five per cent.

Q.—Did you discuss anything further about commission? A.—On the Judson place?

Q.—With Judson? A.—Of the adjoining lands?

Q.—What commission he had paid. Did you discuss with him or talk with him anything further about what commission he would or would not pay? A.—Well, Judson would not pay more than one dollar.

Q.—I am sorry I cannot make myself understood. Did you discuss with Mr. Judson anything further as to what commission he would or would not pay? That is, he would pay a dollar and would not pay five per cent? A.—That is right.

Q.—Did you discuss anything further about commission? A.—I do not think so.

Q.—Are you clear on that, now? A.—I think so, yes.

Q.—You have a clear recollection of that? A.—I think so.

Q.—You did not say anything to him about— A.—I may have mentioned to him the fact of what this man wanted, in all probability I did, but I would not swear to it.

Q.—What man? A.—Mr. Daley.

Q.—You may have told him that Mr. Daley wanted \$4.00 commission, and you and he were to split it? A.—I don't know about the latter end of your question.

Q.—But you may have? A.—I may have mentioned to him the fact what Mr. Daley wanted. I say this because it is logical I might have said it.

Q.—Have you any memory on that? A.—No, I have no memory that I did. It was a kind of a joke with me.

Q.—Don't mind about it being a joke. Just listen! You may have mentioned to Judson that Daley wanted \$4.00 an acre? A.—I may have.

Q.—And you have a pretty good memory, I suppose? A.—Fair.

Q.—And do you recollect mentioning anything of that kind at all? A.—No, I do not recollect.

Q.—Do you recollect any mention of anything between you and Daley any further than the fact that he was willing to give a dollar an acre and you wanted five per cent. and did not get it? A.—I did not mention it to Mr. Judson at all.

Q.—Why did you say in your examination in chief that Mr. Judson was an honourable man and would not consider this \$4.00 proposition? A.—I did not say he would not consider the \$4.00 proposition.

Q.—What did you say? A.—I surmised he was a very honourable man from the way he talked.

Q.—Had you met him before? A.—I had met him before.

(At request of Mr. Mackay a previous answer of this witness was read from the shorthand notes):

"Well, I had to handle the money. Mr. Judson was a very honourable man and would not stand for anything more than a dollar an acre commission and we had talked it over with Mr. Judson, and I asked Mr. Daley who to make the cheque payable to and he said 'Mr. Michael Scott in Winnipeg.'"

Q.—What did you mean when you said: "We had talked it over with Mr. Judson"? A.—I meant the firm. Mr. Rowan had been down and got a listing.

Q.—Let me put the question. You had an idea that Mr. Judson was a very honourable man? A.—Yes.

Q.—And he would not stand for commission? A.—Exactly.

Q.—And "We had talked it over with Mr. Judson"—do you mean you had talked commission over and he would not stand for it? A.—Mr. Rowan had a very hard time—

Q.—Well, never mind Mr. Rowan. A.—Well, that is the firm, the firm of Connor and Farleigh, had an idea Mr. Judson was an honourable man and would not stand for more than a dollar an acre commission, because Mr. Rowan had tried to get five per cent.

Q.—And that is your meaning of the phrase: "We had talked it over with Mr. Judson"? A.—Yes.

Q.—And you had not talked anything higher with him? A.—No, sir.

Q.—And you had not talked \$4.00 an acre at all? A.—No, absolutely not.

Q.—Then you told us Daley spoke about the commission again behind some buildings?
A.—Yes.

Q.—And where did you send the telegram from? A.—From Taber.

Q.—Was Rowan down there? A.—Yes.

Q.—And Gibson? A.—Yes.

Q.—Did you have an idea then, and was this the reason of your sending the telegram, that Daley was not playing you fair and he was going to sell through somebody else and get the commission and cut you out? A.—No, sir.

Q.—There was no discussion of that of any kind? Was there any discussion between you and Rowan as to whether Daley would play you fair? A.—Oh, yes.

Q.—And that was before you sent the telegram? A.—Yes.

Q.—You thought Daley would not play you fair, and Rowan? A.—What do you mean by “playing me fair”?

Q.—Well, if a sale took place and Scott—— A.—Oh, no, you are wrong there, because I would handle the money. He could not cheat.

Q.—You talk of controlling the money, but if Daley sold some lands through some other agency and not through you, you would not control the money would you? A.—That is a hypothetical question. We had an option on the land.

Q.—Did you have an absolute exclusive option? A.—Absolute.

(Previous question and answer read as follows):

“There was no discussion of that of any kind. Was there any discussion between you and Rowan as to whether Daley would play you fair? A.—Oh, yes.”

Q.—Explain that answer. A.—I thought you meant as a general subject, whether he meant playing me fair. He could not cheat, as I told you before.

(Question and answer read as follows):

“There was no discussion of that of any kind. Was there any discussion between you and Rowan as to whether Daley would play you fair? A.—Oh, yes.”

Q.—What was the discussion? A.—The discussion was: I thought at that time——

Q.—Well, the discussion, never mind what you thought. Give us the conversation? A.—Well, the conversation in effect was this—that they did not intend to sell the Judson place to the Mennonites at all.

Q.—Who did not? A.—Mr. Daley and Mr. Scott; that they intended to sell the Knight and Watson place at Cardston. They intended selling the Knight-Watson place at a very high figure and they had to show the Mennonites some other places and hence the raise in prices, so as to make the Knight-Watson place compare to these in values—they were raising the Knight-Watson place very much more than it had been listed for prior to this date and they were using us as a tool to place this amount on the Judson place to make lands compare with the Knight-Watson, and they sell the Knight-Watson place. That was the discussion of playing fair.

Q.—Just exactly on the line I thought. You got suspicious that Daley—I will come right back to it. A.—Yes.

Q.—You got suspicious that Daley was not playing you fair in this sense, that he was only using the Judson lands and putting a price on them as a lever, a means of selling the Knight-Watson lands? A.—Yes.

Q.—And you did not have an option on the Knight-Watson lands? A.—No.

Q.—And therefore, if he could get the prices put on the Judson place, that would help him sell the Knight-Watson and if he sold the Knight-Watson you would not get any commission at all? A.—No, sir.

Q.—And having come to that conclusion you immediately wired the Minister? A.—No, sir.

Q.—Didn't you wire the Minister that day? A.—Yes, sir.

Q.—How long after? A.—About seven hours later—this was about 5 o'clock—it would be about 12 o'clock at night.

Q.—Did anything in the meantime happen that changed your mind in any way? A.—No, sir.

Q.—You were of this opinion when you sent the telegram, that Daley was not playing you fair in the sense I have described, that he was using the Judson lands and putting figures on them—raising them in value, by way of comparison to the Knight-Watson lands so as to sell the Knight-Watson lands, on which you would get no commission? A.—Absolutely.

Q.—And, being of that opinion, you wired the Minister? A.—No, sir, I was of that opinion first. I had already said prior to April 22nd that if The Honourable Duncan Marshall was implicated I would try to expose it.

Q.—Who had you said that to? A.—To Mr. Rowan.

Q.—One of your own men? A.—Yes.

Q.—Did you communicate to Mr. Marshall or anybody in the Department when Daley first made the proposition to you on April 10th? A.—No, sir.

Q.—Did you communicate that when he made the second visit to you and you prepared the plans? A.—No, sir.

Q.—And you did not communicate to the Department until you came to the conclusion he was trying to put up the price of these lands against the Knight-Watson lands? That was the reason? A.—No, sir, I telegraphed them when I thought he had the goods on him.

Q.—Didn't you think he had the goods on him when he talked to you in the office and got you to get the plans ready? A.—I thought I would when I found out how much.

Q.—Well, I see—— A.—I did not think I could make a commission at any time.

Q.—You never thought Daley would get a sale? A.—Oh, yes, I thought sure Daley would make a sale; that they would do exactly as he said.

Q.—If Daley made a sale of the Judson lands wouldn't you get part of the commission? A.—Absolutely.

Q.—Why didn't you? A.—I didn't figure he intended to make a sale of the Judson.

Q.—Before you left Calgary? A.—Absolutely.

Q.—Then you were just down as a detective to catch Daley? A.—No, sir. I would have sold it to the Mennonites, myself, if I could.

Q.—And leave him out? A.—Give him fifty per cent. of the one dollar.

Q.—Although you thought he was crooked and trying to beat you? A.—I did not think, I knew.

Q.—You knew he was crooked, and you knew he would beat you if he could, yet you were willing to split the commission with him? A.—Well, why not?

Q.—Well, were you? A.—Yes.

Q.—But wasn't there anything else that occurred on April the 22nd that made you suspicious that Daley was not going to play you fair? A.—I thought that right along, as I said before.

Q.—Was there anything further occurred than you have told us? A.—Not to my knowledge.

Q.—And what time of the day did the discussion about Daley's conduct occur between you and your salesman Rowan? A.—I could not give you that. It may have been after we came off the land. It may have been after we came off the land or before, I cannot say. It was a general discussion.

Q.—You were discussing continuously that day whether Daley would play you fair; is that right, off and on? A.—I must get your question first, properly. The question "playing fair" again, it is a very broad term.

Q.—Well, would he be honest in a deal he made with you to give you half commission—that he would play honest, and sell it? You know what playing fair means? A.—Yes; there are lots of ways of playing fair.

MR. EWING: You asked him "If you were continually discussing."

A.—Yes, we were continually discussing——

MR. MCAKAY: I cannot control the witness. I will ask you again. A man might play fair or unfair. You were discussing several times that day on the Judson lands, or around there, with Rowan, the question as to whether Daley would play fair with you in the matter of selling lands? A.—Yes.

Q.—You discussed it several times? A.—Yes.

Q.—What was the particular discussion? A.—The particular discussion was that Mr. Daley hadn't in mind the sale of the Judson place, but he had in mind the sale of the Knight-Watson ranch.

Q.—You talked that over? A.—Yes.

Q.—Were there other lands talked of being taken in besides the Judson in the same deal? A.—In the same vicinity?

Q.—Yes, to be sold in block? A.—Yes, there was even talk of 100,000 acres.

Q.—And you thought he was only using the Judson as a cat's paw to sell the Knight-Watson? A.—Absolutely.

Q.—And if it was sold you would not get a commission? A.—Absolutely.

Q.—But if the Judson were sold you would get a commission? A.—Absolutely.

Q.—And you were discussing that all day. Didn't Rowan have an idea you were wrong? A.—Yes, he did; that is why I was there.

Q.—Rowan thought that Daley was playing fair, that the price he was getting on the Judson farm was for sale and—— A.—Yes. I would sooner you say that Mr. Rowan thought that Mr. Daley wanted to sell the Judson place.

Q.—Yes; that is just the same thing—that he was really in earnest. A.—It is not the same thing.

Q.—That he was really in earnest. I will put the questions just as I like, if it comes to that. Didn't Rowan think that Daley was perfectly honest in the steps he was taking and trying to sell the Judson lands? A.—Yes.

Q.—And you thought he was not? A.—Absolutely.

Q.—And you and Rowan differed. Rowan did not want you to send the telegram to the Minister? A.—He did not know anything about the telegram until after I sent it.

Q.—And it was you who sent it? A.—Yes.

Q.—And do you remember any conversation about it? A.—No, I do not remember.

Q.—Well, do you send telegrams like that and there is no conversation about it? When did you send it? A.—About 10 o'clock. The telegram will speak for itself if you have a copy of it. And I probably discussed it at one o'clock in the morning.

Q.—That is not very long. What position did Rowan take—that you had made a mistake? A.—Probably——

Q.—Well, don't say probably. A.—Well, it would be a natural inference.

Q.—That would be the position, then, as between you and your salesman—your best recol-

lection is that Rowan thought you were wrong and making a mistake in warning the Minister and Daley would have got the sale put through and you would have received a commission?

MR. EWING: You are asking him what Rowan thought.

MR. MACKAY: Well, it is conversation. They had a conversation at one o'clock. In the conversation that you had about two hours after the telegram was sent was Rowan contending that you ought not to have sent the telegram? A.—I can't say, sir. When you talk to Mr. Rowan you will find he is not very committal.

Q.—I have not got to Rowan. I am asking a question from memory. Did you mean that? A.—Probably—yes.

Q.—That was probably the position he took? A.—Absolutely—yes.

Q.—Have you any recollection of it? A.—No.

Q.—But you have a recollection about two hours after you sent the telegram Rowan did discuss with you about sending it? A.—I discussed with Rowan.

Q.—I suppose he talked, too? A.—Probably; he may not have done.

Q.—What did you say to Rowan? A.—I think I told him I had sent a telegram to The Honourable Duncan Marshall.

Q.—That is not covering what I was asking you about at all. I put the question straight before you. A.—No, I said—

Q.—You said "Probably." This was the purport of the question—that about two hours after you sent that telegram Rowan was contending you had made a mistake, that you should not have warned the Minister, thinking that Daley was playing fair and if the sale had gone through you would have got part of the commission. That was your attitude? A.—Yes.

Q.—Do you remember discussing it with him after you sent the telegram? A.—Yes.

Q.—Did you see Daley after that? A.—Yes, April 22nd.

Q.—And when did you see him next? A.—The following day—the 23rd.

Q.—Where? A.—On the street at Lethbridge.

Q.—And what conversation did you have with him there? A.—I told him I would expose the whole thing if I could.

Q.—Expose what? A.—This graft—whatever you would call it.

Q.—Did you tell him you had sent the telegram? A.—Yes.

Q.—And he said the Government was behind him? A.—He said he should not worry, or something to that effect.

Q.—What did he say? A.—It would not do me any good, the Government was behind him.

Q.—Did he say "The Government was behind him" or "It would not do you any good"?

A.—He said the Government was behind him; those were positive words; I remember that. But whether he said it would not do me any good—I am not so sure about that.

Q.—And when did you see him again? You remember now. You would have in your mind, I suppose, that Rowan had been contending with you about one o'clock the night before that you were foolish to warn the Minister and stop the deal? A.—I would not say he had or had not.

Q.—But prior to your sending the telegram, the day before, Rowan's idea was that Daley would play fair? A.—Yes.

Q.—And you do not know that he changed his mind? A.—I do not think he did.

Q.—You do not think he did? A.—No.

Q.—And where did you see him next, and when? A.—I think I saw him in the office, next.

Mr. Daley, you are talking of now?

Q.—Yes, when? A.—Probably several days later.

Q.—About when? I do not expect the exact date, but roughly as you can. A.—Probably April 28th or 27th.

Q.—Four or five days after? A.—Yes.

Q.—And what occurred then? What lands were discussed that day? A.—I did not discuss any at that time.

Q.—What did you discuss with him at that time? A.—I do not think I discussed anything. I think he and I were very cold.

Q.—Was there a conversation? A.—I do not think it.

Q.—Who was he discussing the matters with? A.—He probably was discussing the matters with Rowan.

Q.—Do you know what he was discussing with Rowan? A.—I do not.

Q.—When was he in the office again? A.—He was in there many times; it is pretty hard to fix.

Q.—After that? A.—Yes, after that.

Q.—Rowan was still your employee? A.—Yes.

Q.—Was he selling on salary or commission? A.—Commission.

Q.—He was in about April 28th; when would he be in again? A.—I would not say; he was in and out quite a lot.

Q.—How many times would he be in in April? A.—Probably half a dozen times.

Q.—On these land deals? A.—Yes.

Q.—Discussing them with whom? A.—He did discuss it once with me—the Baxter Reid ranch.

Q.—About what date? A.—I could not say. Probably ten days or six days, maybe four.

Q.—And about half a dozen times discussing land sales with Rowan? A.—Probably.

Q.—Evidently, whatever had occurred, you had not shaken him off? A.—I think I had, but I don't think Mr. Rowan had.

Q.—You discussed the Baxter Reid ranch with him? A.—He discussed it with me and asked if I had the Baxter Reid ranch for sale, and I said "No." He said it was very desirable and so forth.

Q.—Was that the only sale you discussed with him? A.—The Baxter Reid and the Judson place?

Q.—Yes? A.—No; I mentioned Rockyford.

Q.—Where is that? A.—Northeast of Calgary about 60 miles.

Q.—Did you have any other lands you were trying to sell to the Mennonites? A.—Yes, near High River.

Q.—Any other? A.—No.

Q.—In the Gleichen district? A.—Well, the Rockyford is in the Gleichen district.

Q.—Who listed those with you? A.—No one did.

Q.—How did you get them? A.—Well, we did not get them.

Q.—You had them for sale? A.—No, we did not.

Q.—Well, what was there about the Rockyford? A.—The idea was it was for sale. We know these places, and when this thing is put up to us we think of these places and we ask if Rockyford is for sale.

Q.—You knew it was for sale but you did not have it on the list? A.—Yes.

Q.—And I suppose the Rockyford lands would be owned by a bunch of people as big—
A.—No, one man as far as I know; The Calgary Colonization Company—Mr. Sayer.

Q.—What was the first particular land you discussed with Daley? A.—The Judson place.

Q.—Any others? A.—Not at that time.

Q.—But when he came in to you what others did he come in about? A.—He came in about the Baxter Reid place.

Q.—And that is the time he said he wanted to make the same arrangement with you as he had before? Is that right? A.—No; it was the High River place, he said that.

Q.—How long—what date, did he discuss the High River one with you? A.—May I look at this? (Referring to correspondence.)

Q.—Yes. A.—Well, the letter is not here.

MR. EWING: Those were the only ones that were put in. Was it a telegram you wanted? A.—Yes.

MR. MACKAY: What time of the year would it be? A.—April.

Q.—April 23rd, later than the Judson one? A.—Yes, later than the Judson one.

Q.—It was April 22nd or 23rd you were down about the Judson? A.—Yes.

Q.—And it was after that he discussed the High River lands with you? A.—Yes.

Q.—And he said he wanted to make the same arrangements as before? A.—It was at High River he said that.

Q.—It was at High River with reference to lands near High River he said he wanted to make the same arrangements as he had before? A.—Yes.

Q.—And the prior arrangement was the arrangement made in connection with the Judson land? A.—Yes.

MR. EWING: We have brought here under subpoena a number of witnesses from Calgary and I presume their time is valuable and I think this Committee ought to make some arrangements to hear them and let them go. I do not know what is the best arrangement but I do not think we should keep them here for some considerable time. There would be no regular meeting in the ordinary course until Monday.

THE CHAIRMAN: Tuesday.

MR. EWING: Surely we could get one on Monday?

THE CHAIRMAN: That is the arrangement that was made.

MR. EWING: The arrangement was made—I think it was a foolish one—that when there was a Municipal Law Committee meeting we should alternate, and there is no reason we should not hold a meeting.

THE CHAIRMAN: The Municipal Law Committee meets on Friday and Monday.

MR. EWING: I do not think it is a proper thing to keep these men here until Tuesday morning.

MR. MACKAY: How many have you?

MR. EWING: Four. We can run through the thing very quickly. We have the gist of the story.

MR. MACKAY: I think I can see through the whole thing now.

MR. DAVIS (to witness): After inspecting the Judson ranch, where did you go? A.—To Taber.

Q.—And was it at Taber you had the conversation with Mr. Daley behind the stockyards or some buildings? A.—No, on the Judson place.

Q.—Do you remember having a conversation at Taber that night with some Mennonites? A.—Yes.

Q.—Give us the subject of that conversation. A.—I took the Mennonites to one side and told them the whole thing was a graft on them, they were going to pay more for the land than was necessary. And they did not believe it for a long while and during the conversation—

Q.—How many of the Mennonites were you speaking to? A.—Two.

Q.—And where were the balance? A.—They were around the lobby. And during the conversation one of the Mennonites came in a hurry to these two Mennonites and said: "You fellows go to bed; go to bed right away!" And he sent them to bed.

Q.—Sent them to bed? A.—Yes.

Q.—And that was the last you saw of them? A.—At that time. I saw them later.

Q.—And what did you tell the Mennonites? A.—I told them it was a graft. And later, at Lethbridge, I showed Paul Wiff this letter and even then he doubted Mr. Daley's signature because I think Mr. Daley had told him it was not his signature.

Q.—You have no knowledge of that? A.—No, except that Mr. Wiff told me it was not. He said it was not.

MR. MACKAY: How late that evening would it be you had this conversation with these Mennonites at the hotel? A.—Probably 11 o'clock.

Q.—Just shortly before you sent the telegram? A.—Yes.

Q.—Or after—which? A.—No, before.

MR. MARSHALL: I understand my name has been mentioned in connection with this and the newspapers are going to press shortly and the advantage that is wanted from this thing, and the purpose it is made to serve, is to get a story into the newspapers this afternoon, and I think I should have the privilege of giving evidence for a few minutes.

MR. EWING: I object to the statement the Minister has just made. It is now time for adjournment.

MR. MARSHALL: Well, I would not accuse you of that, Mr. Ewing.

MR. EWING: As I said, when these witnesses were called, we assume no responsibility for the evidence they would give.

MR. MARSHALL: Well, we will not quarrel over that at all.

THE CHAIRMAN: I think Mr. Marshall is entitled to make a statement if he sees fit.

DUNCAN MARSHALL, called and sworn, testified as follows:

MR. MACKAY: You are the Minister of Agriculture? A.—Yes.

Q.—And were in 1918? A.—I was.

Q.—You knew the position that Daley occupied in the Department, I suppose? A.—I did.

Q.—It has been sworn to here that Daley said with reference to the sale of certain lands that if a commission were paid he was to divide part of the commission with you? A.—Well, neither he nor anybody else never had any such understanding. Or I will do them credit by saying no men in my Department or out of it have ever offered me a commission on anything, since I became Minister of Agriculture of this province.

Q.—Where were you about April 22nd of last year? A.—I do not keep a very accurate diary and it is very hard to follow. But I learned this morning that that was April 22nd and I looked up my diary of that date and I find I was with Mr. J. C. Elliott on his ranch out east of Didsbury, about twenty or twenty-two miles.

Q.—Had you been around home for some time then? A.—That would be about the time of getting ready for seeding and I spent some little time around my place. I did not happen to be here when this telegram came.

Q.—Did you ever see the telegram? A.—No. Mr. McIlmoyle told me of it and told me what he did with regard to it.

Q.—Did you hear Mr. McIlmoyle's evidence? A.—I did not.

Q.—What did Mr. McIlmoyle tell you he did about it? A.—He told me he spoke to Mr. Craig about it and Mr. Craig wired to Mr. Daley and brought him in and went into the matter with him, and he handed in the telegram, as he always does any correspondence when I am away—it is the proper thing to do—to the Branch to which it belonged, which is, of course, the Publicity Branch.

Q.—And then it is said also that Daley said that you were very anxious to have the Mennonites buy in the Olds district and something was said about the advantage of the demonstration farm, and so on and so on. Did you know anything about the fact that Daley was dealing with the Mennonites then? A.—I did not. And more than that, I did not know that the Mennonites had ever gone to see the Baxter Reid ranch until this Committee met here and took the matter up. I live near Olds. I do not know why I did not just know it but as it happens I never just knew why they visited Olds to see it. That is information I might have known because I live there, but it happens that I did not know it.

Q.—Did you know anything at all about any of these transactions that Daley and these witnesses speak of—the attempt to sell these Mennonites land around High River and Rockyford and that other place—the Judson land? A.—I did not know anything about it. I heard the Mennonites had bought the Buck ranch from Ray Knight, a ranch I know very well because I have visited with Mr. Knight, and I understood they bought that. I think I learned that when I was in Lethbridge.

Q.—Did you learn that they bought it through Mr. Daley? A.—No, I did not.

Q.—Well, now, a broader question. Did you know that Daley was trying to sell the Mennonites any land at that time? A.—No, I did not. He had no right to try to sell anybody anything, none whatever, no authority.

Q.—There must have been evidence that he went to Dakota—I was not here—that he went to Dakota and saw some of these Mennonites, evidently taking steps to take the Mennonites here? A.—He went over to Dakota as three or four other men did in conjunction with a joint arrangement with the Dominion Government; we were to supply so many men and they were to supply so many men to have an arrangement made to send farm hands over here to work in the season.

Q.—Was he supposed to be taking Mennonite or other farmers here? A.—No, sir. We had stopped with the war, doing immigration work, but there would not be any reason why a man who was over there and meeting some of the people—some people object to Mennonites—but a man who is over for farm labour, if he met a number of farmers who were enquiring about Alberta, why he should not tell them about its advantages.

Q.—You do not object to that? A.—No, certainly not.

Q.—But as a matter of fact, did you know of his dealing with Mennonites there or over in Alberta along these lines? A.—No, I did not, until after it was all over.

MR. EWING: Did you know the Mennonites were coming in? A.—No, I did not. As a matter of fact, I might have, but it just happens I did not.

Q.—Were you down in Dakota addressing public meetings? A.—No; I never addressed a public meeting in Dakota. I spoke in St. Paul and Iowa at the instigation of several of the State Agricultural Colleges and Livestock Associations, but it happens I never made a speech in Dakota, but had I been invited to do so I might have gone down to their college there, but it just happens that I did not.

Q.—I suppose you know the telegram that was sent to you has disappeared from the files? A.—Mr. McIlmoyle says he could not find it. He says he took it into the Publicity Office from my office in my absence and he talked to Mr. Craig about it and he wired to bring Mr. Daley home. And I never heard anything more about the thing until now.

Q.—You never saw the wire, as a matter of fact? A.—No, I did not see the wire, but I was told what was in it.

Q.—How many publicity agents have you down in the United States? A.—Well, we haven't any now.

Q.—How many had you in 1918? A.—I could hardly tell you, but as near as my recollection would serve me there were probably three men sent down to get farm hands.

Q.—Of whom Mr. Daley was one? A.—Yes.

Q.—Can you tell me off-hand what different portions they were sent to? A.—No, I cannot. It seems to me we sent one man to Spokane. We got word that there were a number of men that would come in from the west and I think one man took, I guess Mr. Daley, went through Montana and Dakota, but I could get you that information, because what I just think was this, I discussed with Mr. Hotchkiss how many men we could afford to send, how much money we could afford to spend and to take the men and send them to the different localities. I would know probably at the time where they were going and where they were making their headquarters. But that could be very easily ascertained. I just want to make it clear to this Committee that I am not in this kind of business, that is all. No man who works for the Publicity Department of this Government, either, has any right to take commission. I do not know but he could be sent to gaol for it. But as a matter of fact, if a man is working in the employ of the Government in that Department, it is his business to show people who come to the country all parts of the province alike, and I think the men we have had working for us in the Publicity Department will bear me out when I say that my instructions to them all was not to boom one part of the province more than another; to tell these men who were coming to Alberta to come and see it for themselves. I never tried to sell the Baxter Reid ranch to anybody. I never knew anybody was looking at it to buy it except Roberts Bros., of Vegreville, whom I met at Olds one day, and they said they were going up to look it over with a view to buying it for a cattle ranch. I told them I hoped they would, because they were really good stockmen.

MR. MACKAY: Were they good Grits? A.—I do not know their politics. Joe might be able to tell you. They were going into partnership with Mr. Cadzow, who is a very decent fellow but a strong Conservative, as a matter of fact. However, I hoped they would come to Olds to live. He lives in this city. However, that is beside the question. I had never anything to do with trying to get commission and I can say it to the credit of the people with whom I have been trying to do business that since I have been Minister of Agriculture of this province that I have never had the offer of a dollar. I have had no temptation. I don't know how I could stand it if I had, of course.

Q.—Had you any complaints about Mr. Daley prior to that? A.—No. That is the only single complaint and that is perhaps the reason I dismissed it in the way I did, that is when Mr. McIlmoyle told me that he and Mr. Craig had taken the matter up and they could not get any more information from the fellows they had telephoned to, and that being the only complaint, why, I let it drop. I did not know anything more about it until I heard of it in this Committee.

Committee adjourns till 8 p.m.

8 P.M. COMMITTEE RESUMES.

MR. EWING: Mr. Chairman, I was told at the door that Mr. Connor wants to make a statement. I do not know what it is.

MR. B. G. CONNOR, recalled, further testified as follows:

THE CHAIRMAN: You are still under oath, Mr. Connor.

A.—Yes, sir. You asked me whether I had been to the Judson farm twice. I had been twice. I had forgotten that. I went the first time to get a renewal of the listing which had expired. I think that is all.

MR. EWING: That is the one that you did not remember this morning? A.—Yes; I thought I had just been there once and I had been there twice.

M. L. SPAULDING, called and sworn, testified as follows:

MR. EWING: You are a real estate agent in the city of Calgary? A.—Yes, sir.

Q.—You were connected in 1918 with the firm of Connor and Farleigh, were you? A.—Yes, sir, practically. I worked in the office.

Q.—And did you know Mr. Daley? A.—Yes, sir, I was acquainted with Mr. Daley.

Q.—When did you first meet him—about when? A.—I should judge it was twelve years ago.

Q.—He was an old-time acquaintance of yours? A.—Practically—yes.

Q.—And when did you first have any business relations with him, or had you business relations with him in years gone by? A.—Well, not exactly. We tried to have business relations in one way and another, but we never.

Q.—When? A.—Well, from the time I first got acquainted with him.

Q.—I want to get down to the time when you were in the office of Connor and Farleigh and came into contact with him in connection with the sale of lands. Did you meet him in that connection? A.—Yes.

Q.—Where, first? A.—Well, I think it was around the Yale Hotel. I boarded there and he always got his meals there, and it was about that time, around the Yale Hotel.

Q.—In Calgary? A.—Yes.

Q.—Just tell us what happened, briefly? A.—He just said there was going to be some large blocks of land sold and he says, "I am coming to you as the first man in Calgary that knows anything about this and I want you to help me pick this land out." He said there was going to be some Mennonites located in Alberta.

Q.—About when was this—do you remember? A.—I do not remember; I did not put it down.

Q.—It was in 1918, this last year? A.—Yes, it was sometime along in the summer, I think. I did not make any data of it relating to this particular meeting so I have not anything just definite on that point.

Q.—You said he spoke about a number of Mennonites coming into the country? A.—Yes.

Q.—What happened? A.—Well, he said there was going to be some large tracts and I was discussing the matter with him, and I says: "I believe I can put you next to a block of land which will be just about what these gentlemen want."

Q.—You said that to him? A.—I told him that—yes.

Q.—And what did he say? A.—He said: "Where is it?" and I said: "It is in the office of Connor and Farleigh and Mr. Rowan and after we get through our meal I will take you over there and introduce you in there." That is the first time he ever saw them or they ever saw him.

Q.—You introduced him to that office? A.—Yes, the first time he was ever in there.

Q.—Were you present when any arrangements were made about commissions? A.—Well, there was talk all the way through.

Q.—Talk of what? A.—About the commission. But really, I turned the proposition over, I turned him over to Connor, Farleigh and Rowan.

Q.—Just tell us the conversation you heard about commission. A.—It was around a dollar an acre on that Judson place. It was the Judson ranch I am referring to.

Q.—He talked about the Judson ranch? A.—Yes.

Q.—Who said it was to be a dollar an acre commission? A.—I got that out of the office. Rowan and Connor and myself, we discussed that commission business as a dollar an acre.

Q.—But did you discuss it with Mr. Daley? A.—Yes, sir.

Q.—How did he come to be interested? A.—In the same way—that it was going to be a dollar an acre.

Q.—How was he interested in that? A.—I did not ask him particularly. I suppose he expected to be taken care of.

Q.—And did he say that? Did he say he would? A.—Well, now I think he did. I think he said that he and a man by the name of Scott, in Winnipeg, had got to be taken care of in this transaction.

Q.—To what extent were they to be taken care of? A.—Well, the fine point of that was discussed between the office and Mr. Daley.

Q.—On what basis? A.—Well, I just heard of it.

Q.—Tell us what you heard about it. A.—It was my understanding it was to be an equal division.

Q.—To get fifty cents an acre each? A.—That is what it would be, of course.

Q.—Did you ever hear Mr. Daley saying anything about having to divide any commissions

which he got with someone else? A.—Well, I think he did make that statement at one time, but I did not ask him any questions because that was going too far.

Q.—What was the statement he said? A.—Well, that he had to take care of someone else.

Q.—Did he say who? A.—No, he did not say who he was going to take care of.

Q.—Neither at that or at any other time in your hearing? A.—No, I did not ask him any questions who he was going to take care of. It did not concern me at all.

Q.—I am asking whether he said that in your hearing. A.—No, sir.

Q.—You were not there at any time when he said it? A.—No, sir.

Q.—You went down to the Judson farm with him? A.—No; I never saw the Judson place in my life.

Q.—Did you go any place with Mr. Daley? A.—Yes, sir.

Q.—Where did you go? A.—I went to Sayer's ranch, the Calgary Colonization people, at Rockyford.

Q.—Mr. Daley with you? A.—Yes, and a couple of Mennonite gentlemen was with us.

Q.—Was there any talk there about a division of commissions? A.—Not at that time.

Q.—Well, at any time? I want to cover all the time. A.—There was afterwards.

Q.—Where, afterwards? A.—I could not tell you just exactly the particular time but it was generally understood that Mr. Daley was to be taken care of in the commission; it was including Mr. Scott, of Winnipeg, you know.

Q.—What about Mr. Scott? A.—Well, Mr. Scott was the confidential agent of these Mennonite people.

Q.—And was he to be taken care of, too? A.—Well, of course. Mr. Daley and Mr. Scott were supposed to be together in the matter.

Q.—And was the commission that Mr. Daley got to be shared with Mr. Scott? A.—That was the understanding, yes, sir.

Q.—You had a further understanding, in the first place? A.—Yes, practically, he was quoting Mr. Scott as his friend and confidential agent of the Mennonite people.

Q.—And Mr. Daley's commission was to be split with Mr. Scott. You knew that? A.—That would be the understanding, yes, sir.

Q.—You gathered that from Mr. Daley? A.—From the general talk.

Q.—Did you gather any other split from the general talk? A.—No more than to state he had to take care of somebody at this end. I suppose that meant Edmonton.

MR. MACKAY: Did he say Edmonton?

A.—I suppose he did. Now, I won't say sure he said Edmonton—"At the other end," he said. I suppose that is what he meant. I am not going to guess it.

MR. EWING: Did he say at this end? A.—Yes.

Q.—He would have to take care of someone at this end? A.—At this end.

Q.—Mr. Scott belonged to Winnipeg, didn't he? A.—Yes.

Q.—You were not up at the Baxter and Reid ranch? You did not have anything to do with that? A.—No, I did not have anything to do with that.

Q.—Had you anything more to do with Mr. Daley after you came up to Connor and Farleigh's office at that time? A.—I took him out to the Rockyford ranch after that.

Q.—Had you anything more to do with Mr. Daley after that? A.—Well, not.

Q.—You met him quite frequently? A.—Oh, yes, we always met him in a friendly way—friends.

Q.—Oh, yes, you were good friends. Do you know a man named George Hinds, of Rockyford? A.—No, sir.

Q.—You never heard of him? A.—Not before.

Q.—Did you know of any lands called George Hinds lands, Rockyford? A.—No.

Q.—Never heard of them? A.—I don't think I ever did. No, I know I did not.

MR. MACKAY: When you were in Connor's office in the presence of Daley and Connor, what do you recollect being said about commission? A.—Well, just what I told this gentleman here. My understanding was there was going to be a dollar an acre on the Judson ranch.

Q.—The dollar was mentioned was it? A.—Oh, yes, the dollar was mentioned.

Q.—Had they both agreed on a dollar an acre on the Judson lands, apparently? That was to be the commission? A.—I don't know how.

Q.—There was no written agreement. They were talking about a dollar an acre. But did they both appear to be satisfied that the commission should be a dollar an acre? A.—As far as I know they were both satisfied.

Q.—Did you ever hear anything to the contrary? A.—No.

Q.—Did you ever hear any other figure mentioned? A.—No, because the deal after I took Mr. Daley in there was carried on between Mr. Rowan and Mr. Connor, and I was not there all the time.

Q.—Never mind when you were not there. We will take it for granted you did not hear anything when you were not there. But you were there when you took Daley over to Connor's office? A.—Yes.

Q.—And was that in the evening? A.—No, in the daytime.

Q.—And the arrangement between them there was clearly if the Judson ranch was sold the commission was to be a dollar an acre and it was to be split evenly? A.—Yes, sir, as far as I remember now.

Q.—Well, do you remember? A.—Yes; that was the understanding.

Q.—That was said, was it? A.—Yes.

Q.—Was anything else said? A.—Not in my hearing.

Q.—No other figure mentioned—no other suggestion? A.—Not that I heard.

Q.—Do you remember when they went down to the Judson ranch? A.—Well, I did not pay so very much attention to it because I was busy at other things.

Q.—I am asking can you remember? A.—No, I could not give you the date.

Q.—I did not ask you that? A.—Yes, I remember the trip.

Q.—The occasion. Were you around the office before they started? A.—Yes.

Q.—You were in the office. You were salesman for the office? A.—Yes.

Q.—Was Daley in the office again before they went down to the Judson ranch? A.—I think so.

Q.—Any further talk about a commission? Was there any other talk in your presence that varied the amount of one dollar per acre? A.—No, I never heard any other price mentioned.

Q.—And Scott and Daley were to be taken care of in that way? A.—Yes, sir.

Q.—And what was said about some end or other—somebody at some end to be taken care of. Do you remember the wording of that? I did not understand it. A.—How is that?

Q.—Do you remember anybody else who was to be taken care of? A.—Daley made the statement he had to take care of somebody at this end.

Q.—Where did he make that statement? A.—I do not remember exactly.

Q.—In Calgary? A.—Oh, yes, in Calgary.

Q.—“At this end”—are those the words he used? A.—That is the way I understood it.

Q.—Do you remember? A.—Yes, he said at this end.

Q.—He said that in Calgary? A.—Yes.

Q.—And you did not ask what he meant? A.—No, sir, nor he did not tell me.

Q.—Were you in the office after these people had been down to the Judson farm? A.—Oh, yes, I was out and in every day.

Q.—Did you hear anything further about them from Daley and Connor? A.—What is that?

Q.—Did you hear anything further about it? A.—It was discussed off and on.

Q.—What was discussed? I am speaking of after they had been down to the ranch. A.—The general talk about whether the deal was going through or not. We were all anxious about it because it was a nice deal.

Q.—Connor apparently went down and Rowan went down and Daley went down and the Mennonites went down. After that, when Connor came back to the office and Rowan, were they still talking about the Judson ranch? A.—Yes, sir.

Q.—And the probability of putting the deal through? A.—Yes.

Q.—And hoping to make a good thing out of it at a dollar an acre—just talking about it? A.—Yes, still talking about it.

Q.—And for what length of time did that talk continue after they had been down to the farm? A.—Why, it continued until the deal fell down.

Q.—And when did the deal fall down? A.—The deal fell down the last time they were down there during the dry weather. They concluded not to take the land. It hung on until—

Q.—A couple of months? A.—Oh, yes, at least.

Q.—And then away on in the midsummer they went down? A.—Yes, sir.

Q.—Who went down then? A.—Well, Mr. Rowan went down.

Q.—Yes? A.—And it seems to me the bunch went back again.

Q.—What bunch? Who were they? A.—Connor and Rowan. I think that was the group.

Q.—And who else—Daley? A.—I do not know whether Daley went or not. I guess he did not go. I don't know. I don't remember whether Daley was in the crowd or not that particular time.

Q.—Had Daley been in or out in the meantime? A.—Oh, yes.

Q.—And the Judson deal was still on? A.—The deal was still on.

Q.—And the idea between them was they might make a dollar an acre commission? A.—Yes.

Q.—And that continued until midsummer? A.—Yes.

Q.—And some of the bunch went down at midsummer and what next did you hear? A.—The next thing I heard they were influenced to go off into Manitoba to buy some land and the deal fell down.

Q.—And they did not effect the sale? A.—No, sir.

Q.—And that would be about midsummer? A.—Yes; it was the very dry part of the summer.

Q.—Would you say what part that would be? A.—I think it ought to be along the latter part of June or July, perhaps. That was during the driest part of our season.

Q.—And in the meantime, between the end of April, during May and into June, Daley was in and out of the office, was he? A.—Yes.

Q.—And Connor and Daley and Rowan—you were all talking about and all hoping to sell the Judson ranch? A.—Yes.

Q.—You all thought there would be a dollar commission? A.—We all thought we were going to have a nice commission.

Q.—And there was no variation from that, and it lasted until midsummer? A.—Yes.

Q.—And then for some reason or other the Mennonites went to Manitoba and did not buy in Alberta? A.—Yes.

Q.—And that is what ended it? A.—That is what ended it.

Q.—Well, that is a little different. Did you ever hear Mr. Daley ask for four or five dollars of a commission? A.—Never did.

Q.—And all the talk, before or since, you never heard it mentioned? A.—No, sir, I never heard it mentioned on that Judson place.

Q.—Well, it is the Judson place we are talking about. A.—No.

Q.—And you never heard Connor mention it, that he would like to have it? A.—No.

Q.—You never heard it at all, then? A.—There was some argument about some cheaper land, in connection with the Judson place, but that was on the Judson place.

Q.—I do not understand you. A.—The Judson place was there and then there was cheaper land around it, and the idea of taking that in and averaging the price. There was talk about that.

Q.—Of putting that in? A.—Yes.

Q.—A larger tract of land? A.—Yes. I was talking about the Judson place.

Q.—But there was talk that there was other land near the Judson ranch that could possibly be got from the owners, and thereby get a larger tract of land for the Mennonites? A.—Yes.

Q.—And get a larger commission on it, of course? A.—Yes.

Q.—And so far as you could tell, up until midsummer, Daley was trying hard to sell the thing? A.—Yes. We were all trying.

Q.—All trying to get your commission? A.—Yes.

Q.—And you were all continuously in it trying to get a dollar an acre, up to midsummer? A.—Yes.

Q.—And the reason you said it did not go was because the Mennonites took up land in Manitoba? A.—Yes.

Q.—You just failed to sell? A.—Yes, we failed to sell. That is all in the real estate game.

MR. EWING: You got that letter, didn't you, dated March 31st, 1918? A.—Yes.

Q.—You told my learned friend that you never—do you recognize that letter? A.—Yes; that is my name on it.

Q.—You got that letter, didn't you? A.—Yes.

Q.—You told my learned friend you never heard of Mr. Daley asking any commission other than a dollar an acre? A.—On the Judson farm.

Q.—He did ask for higher commissions on other farms? A.—No, I do not think he ever did. I have not seen that letter for some time.

Q.—I will read that letter to you. (Reading letter dated from Grand Forks, North Dakota, March 31st, 1918, addressed to M. L. Spaulding, Esq., 303 13th Avenue East, Calgary, Alberta, signed R. J. Daley.)

So when you speak of a dollar?

A.—I had forgotten that, now. I had not read that letter for some time. I might have forgotten that part of it. But he was questioning me about the Judson farm, you know.

MR. MACKAY: You have not contradicted it yet.

MR. EWING: Mr. Daley was asking more than a dollar an acre on lands? A.—I say perhaps he might have been.

Q.—Now, Mr. Connor and Mr. Daley were in consultation about this thing quite frequently, were they not? A.—As far as I know. He was in and out of the office when the question was discussed in a general way.

Q.—You saw them quite often, I suppose, when you were not within hearing? A.—Well, sometimes he would be in there and when I would have other work to do I would not stand listening to what they were saying.

Q.—You left the matter of commission in the other hands? A.—Yes; it was not etiquette.

Q.—And they might make arrangements of which you knew nothing, about commission? A.—Yes; they probably did.

Q.—You remember getting the letter of March the 31st? A.—Well, this particular letter—I do not remember the date. It is dated March 31st.

Q.—Do you remember getting that letter? A.—Yes.

Q.—Did Mr. Daley ever see you afterwards about that letter? A.—I do not know but what he did perhaps.

Q.—What did he say about it? A.—I cannot remember all that was said. The letter was placed on file there with all the Judson filing. Everything regarding each proposition was placed by itself and as that dealt with the Judson place I filed it there in Mr. Rowan's and Connor's office.

Q.—Did Mr. Daley ever ask you to get it back? A.—I don't know but what he did. I do not remember.

Q.—When did he ask you that? About when was it? A.—I would not dare set the date because I would be guessing at it.

Q.—But where was it he asked you to get it back? A.—Well, somewhere around Calgary, but just where I do not remember.

Q.—It would be in Calgary? A.—Yes.

Q.—What did he say to you? A.—He wanted to know if I thought I could get it back and I told him: "No, I did not think I could."

Q.—That was a long time after this transaction, was it? A.—I do not remember just when it was. There wasn't any date kept of the conversation.

Q.—I quite realize you can't fix the date, but was it at the end of last year, do you think?

A.—It was sometime during last summer, I should judge.

Q.—What did he say about it? A.—Well, he wanted to know if I could not get it and I told him: "No, I did not think I could."

Q.—What did he say then? A.—There wasn't much more said; there wasn't much more to say. Pardon me, I do not wish to be sarcastic in the least.

Q.—I would not suspect you of that at all. Your answer was quite a proper answer. I would not pay any attention to what goes on in this Committee.

MR. MACKAY: It is hard on the Committee.

MR. EWING: You are an old friend of Mr. Daley's? A.—Yes, Mr. Daley and I have been friendly for the last twelve years, I should judge. I think a great deal of him.

MR. MACKAY: After the letter has been shown to you, Mr. Daley, do you vary your answer at all? A.—Mr. Spaulding.

Q.—Do I have to apologize to you for that? Do you still say the commission on the Judson ranch was put at a dollar? A.—As far as I know that commission was to be a dollar.

Q.—Then on the outside lands, according as the letter is there, if they could get more on those they would get more? That is what he was urging, apparently? A.—Yes.

Q.—But you were speaking of the Judson ranch? A.—I am talking of the Judson ranch. I do not wish to spread out on that because I do not know anything about the other.

Q.—But speaking of the Judson ranch, at any time during the progress of the negotiations, did you hear any of these people, Connor, Rowan or Daley speak of anything else but the dollar commission? A.—No, sir.

Q.—You never did? A.—No, sir.

E. E. TAYLOR, called and sworn, testified as follows:

MR. EWING: You are a real estate agent in Calgary? A.—Yes, sir.

Q.—Have been for some years? A.—Fifteen years.

Q.—And you were carrying on business as such in 1918? A.—Yes, sir.

Q.—Do you know Mr. Daley, whose name you have heard, perhaps, before this Committee? A.—I have knowledge of him—yes.

Q.—When did you first have knowledge of him—about when? A.—Oh, some six or seven years ago.

Q.—You have had some dealings with him? A.—I have had dealings with him over that period.

Q.—Extending over that period. How did you first come in contact with Mr. Daley? Can you recall that? A.—I have just forgotten now. It seems to me it was in connection with a farm of his own that he was trying to sell.

Q.—Well, I do not want to take up time with that. You had correspondence with Mr. Daley in connection with paying him commissions with respect to the sale of land? A.—Yes, sir.

Q.—Dating back for some considerable time? A.—I had interviews with him and correspondence I think it was, six or seven years ago, and recently as well.

Q.—Perhaps I can refresh your memory. Will you look at one or two of those letters? There is a letter dated August 11th, 1915. A.—Yes.

Q.—You recognize that? A.—Yes.

Q.—Re the Porcupine ranch? A.—Yes, sir.

Q.—And there is another letter addressed to you dated July the 19th, 1915, re Porcupine ranch? A.—Yes, sir.

Q.—Here is another letter, dated April 15th, 1915, re Porcupine ranch? A.—Yes, sir.

Q.—Just let me read the latter part of it about re commission. (Reading). Now, I notice there is written at the bottom of that, "No chance." Is that your handwriting? A.—It is—yes.

Q.—What do you mean by that? A.—I mean just what I said, that there was no possible chance of getting any more than I had agreed with him or getting the figures he was asking.

Q.—That is, you would not agree to any proposal to protect him that he could sell the land at any more than you had quoted to him? A.—Absolutely not.

Q.—I want to come down to your dealings in 1918. Just look over that letter of January 9th, 1918. You remember getting that letter? A.—I do—yes.

Q.—Had you had correspondence with him before that concerning this same matter? A.—I think I had given him on the street or in the office prior to this some rough details of this particular place—he wrote me—from the memorandums.

Q.—Did he come to you or did you go to him in this connection? A.—He came to me.

Q.—What did he say to you when he first came to you? A.—He told me that he had from time to time numerous probable good buyers for ranches or large properties and that he would like to keep in touch with me as he thought business could be done.

Q.—And what about commissions? A.—And he made a proposition to me that commissions should be shared in half, which I agreed to.

Q.—Had you some discussion about that—about sharing the commissions half and half? A.—Well, there was some preliminary discussion. It was not a very detailed one you know.

Q.—Was the matter of commission discussed at intervals right through your dealings? A.—Yes, more or less, always.

Q.—I won't take the time to go through each time it was discussed. What lands did you undertake to sell under these arrangements with Mr. Daley? A.—The Baxter Reid ranch.

Q.—Where is that situated? A.—Situated ten miles east of Olds.

Q.—Did you go up with the Mennonite delegates to see that land? A.—I did, twice.

Q.—Who was with you on the first occasion? A.—Mr. Daley and I am not sure whether there were five or seven Mennonites.

Q.—And what did you do? A.—Showed them over the place in detail, discussed the different features of the place—took two auto cars out there.

Q.—What inducements were held out to them to buy there, by Mr. Daley, if any? A.—Well, the good location and mixed farming features of the ranch were discussed very freely by Mr. Daley as one of the best places suitable for them in the province. And he also stated to me he was particularly anxious to have them located there as it was in the Minister's own riding.

Q.—Did he tell the Mennonites that or did he just say that to you? A.—He said that to me.

Q.—Were the Mennonites present? A.—No, I do not think they were when that was said.

Q.—You are telling us exactly what he said, are you? A.—Yes.

Q.—That he was anxious to have them established there? A.—That the Minister was anxious to have them established there.

Q.—Now with relation to commissions. They were to be divided equally, you say? A.—Yes, they were to be divided in half. In fact the net figure for the Baxter Reid ranch was to be \$20 and he had suggested to me that we make it \$22. I had made it \$21. He made a suggestion to me to make it \$22.

Q.—What would that allow you commission? A.—Fifty-fifty, one dollar each.

Q.—You would have two dollars an acre commission at \$22? A.—Yes.

Q.—And what did you say to that? A.—Well, I had no guarantee that I could make such a contract with any person. In fact the solicitor in Calgary which was Mr. Walters, would not protect me for more than a dollar an acre.

Q.—What did he say when he asked you to raise it to \$22? What reason did he give for that, if any? A.—Well, that there were divisions to be made of it with three parties.

Q.—Who were the three parties, did he say? A.—Mr. Scott, of Winnipeg, the confidential agent of the Mennonites, himself, and the third party I don't know.

Q.—I am not asking if you knew. I am asking if Mr. Daley said who the third party was? A.—No, he never did.

Q.—Did he indicate who he was? A.—I had the impression he was at this end, but where, I do not know.

Q.—Then the effect of Mr. Daley's conversation with you was that he wanted another dollar an acre commission in order that he could divide his portion between three people? A.—Yes.

Q.—Himself, Mr. Scott and a person whom he did not name? A.—Exactly.

Q.—How did he refer to the person whom he did not name? What language did he use? A.—He said there was a third party, and he did not mention any name; but it had to be divided that way.

Q.—You were up a second time? A.—Yes, sir.

Q.—Mr. Daley with you? A.—Yes.

Q.—Was there any— A.—Part of the Mennonites we met at Olds, returning from Edmonton. They were out, I believe, in the meantime themselves.

Q.—Well, was there any conversation on that occasion re commission? A.—No, there was none. There was nothing said about commission on that occasion.

Q.—You had already agreed upon that? A.—Yes.

Q.—Had you any dealings with Mr. Daley in connection with any other land? A.—Yes, sir.

Q.—In connection with the Mennonites? A.—In connection with the Bow River ranch—Goddard's—about 16 miles west of Calgary.

Q.—What took place in connection with that? A.—I went with Mr. Daley and three Mennonites out to see this particular place, which was to be a price of \$17 an acre. They looked over that place and it appeared to be very favorable to them all.

Q.—Had Mr. Daley previously made arrangements about commission there? A.—Yes.

Q.—What arrangements? A.—The commission to be divided in half.

Q.—He was to get half? A.—Yes; the commission in that particular case was to be a dollar an acre.

Q.—And he would just get fifty cents an acre? A.—Yes. But at the ranch he made a further suggestion that we add a dollar to the price, which Mr. Goddard, the owner, agreed to, which was to be divided as well.

Q.—Did he give you any reason for making that additional raise in the commission? A.—The same old division with the three.

Q.—Did he name this dark horse? A.—The dark horse I never got; never received his name.

Q.—That deal did not go through, did it? A.—No, it did not go through, although they came back afterwards and decided to take it, but it had been sold the day previously.

Q.—Had you any dealings with Mr. Daley in connection with any other lands? A.—No, sir.

Q.—That was all, eh? A.—That was all.

Q.—Now I want to ask you if you have any knowledge of any officers of the Government, outside of Mr. Daley, at any time receiving any moneys for services in connection with their duties? A.—Receiving moneys?

Q.—Yes? A.—I could not say that.

Q.—Well, then, of arranging to receive moneys? A.—Yes, I have.

Q.—Where? A.—At my own office.

Q.—Who was the officer of the Government who made arrangements at your office to receive money? A.—A Mr. Maley, who was buying cattle in connection with the Cow Bill.

Q.—Who was Mr. Maley? A.—He was an agent of the Government, buying cattle in connection with that particular Bill.

Q.—And what arrangements did he make in your office? A.—I had cattle advertised for sale and he came to me about those cattle and wanted to know all about them, where they were and the details of them and suggested that he would go out with me and he would buy those cattle if I would give him half the commission.

Q.—That is, he, acting for the Government in buying cattle under the Cow Bill, would buy these cattle if you gave him half the commission? A.—Exactly.

Q.—And what did you do in connection with that? A.—I told him I was not doing anything of the kind.

Q.—Was anyone present when that arrangement was made? A.—No, I do not think there was.

Q.—And you did not go out? A.—Not with him, no. In fact I mentioned to him at the time that I thought he was treading on very dangerous ground.

Q.—And what did he say? A.—He said he would take his chances on that.

Q.—Then, as a matter of fact, he did not buy, and did not get a commission in that case? A.—No.

Q.—Well, do you know anything else? Has any other case come to your notice? A.—Not directly, no.

Q.—That is the only one of which you have any direct knowledge? A.—That is the only one of which I have any direct knowledge.

MR. MACKAY: Maley. Do you know his first name? A.—I do not know his first name; no.

Q.—Are you swearing he was an employee of the Government? Are you pledging your oath? Do you want that to stay on your record? A.—As far as I know he is.

Q.—I did not ask as far as you know. You pledged your oath he was an employee of the Government working under the Cow Bill? A.—He said he was.

Q.—I don't care. I am asking you if you are going to leave that on record—the unqualified statement that he was an agent or employee of the Government? A.—Yes, sir.

Q.—You are swearing to that? A.—Yes, sir.

Q.—You are leaving that on the record? A.—Yes, sir.

Q.—I suppose you know if you make a mistake what may happen? A.—I will take my chances on that.

Q.—And you swear he was an agent of the Government? A.—He said he was.

Q.—I am not asking you that. Do you pledge your oath to anything anybody tells you—if a man comes along and tells you a thing do you swear to it? Is that your style—if a man tells you a thing is true, do you come and swear it is whether you know it is or not? Is that what you do? We want to know. Is that how you regard your oath? If a man comes along and tells you, and you do not swear he told you, but you swear it is a fact, the same as you did tonight? A.—He told me he was an agent of the Government. That is all I know.

Q.—I am not asking that. I am asking you why you swear he was unless you knew. A.—My general knowledge that he is.

Q.—I am told he never was an employee of the Government, and are you going to swear on the face of that that he was? Leave it on the record if you will. I am asking you, are you swearing that Maley was an employee or agent of the Government? A.—As far as I know he is.

Q.—Will you swear positively and leave it on the record? A.—I will put it the way I said—as far as I know he is.

Q.—But you swore he was? A.—He said he was.

Q.—That is a different thing, you know. That is a different thing. A.—Yes.

Q.—Would it surprise you to learn he never was an agent of the Government and never was an employee of the Government? A.—It would surprise me.

Q.—He is a cattle dealer, isn't he? A sort of trucker and trader? A.—I think so to some extent.

Q.—And all you know about it is he told you he was? A.—Yes.

Q.—Then you won't swear that he was now, will you? A.—I will leave it exactly in the same way I have got it.

Q.—Will you swear he was? Will you swear it again after I call your attention to it? A.—I don't have to.

Q.—You won't? A.—Leave it in exactly the same shape it is in now.

Q.—That is, he told you? A.—Yes.

Q.—You are an experienced man? A.—Yes.

Q.—What position did you occupy with the Dominion Government some time ago? A.—I was Ranch Inspector.

Q.—Between what years? A.—Between 1912 and 1914.

Q.—How did you come to quit? A.—I resigned.

Q.—Asked to resign? (Not answered.)

Q.—Asked to resign? Practically told you would have to resign? Trouble on? Come on! Why do you wait? Why do you hesitate? He that hesitates is lost, you know, in this world. A.—I don't know that I have to even say——

Q.—Oh, you don't want to answer! I think the Committee will want to know why you resigned your position as a public official. A.—I have a perfect right to resign if I want to.

Q.—But you did not resign of your own free will? A.—How do you know?

Q.—I am asking if you did. A.—I think I did—yes.

Q.—You were not asked to resign? A.—Yes, I may have been asked to resign unofficially.

Q.—You may have been asked. You may have been standing on your head in a corner. But were you asked to resign? Why do you hesitate about three minutes before answering? Were you asked to resign? A.—I had intimation that I had better resign.

Q.—Who made an intimation you had better resign? Who gave you the intimation? A.—Mr. Bennett.

Q.—I thought so. Mr. Bennett intimated to you you had better get out? Why? What was the trouble? Over at Medicine Hat, wasn't it—one of the troubles? A.—Yes.

Q.—What was the trouble at Medicine Hat? Let's have it! A.—Do you want to know the details?

Q.—I want the main subject of the trouble? A.—I will give you the detail. Because there was a man in Medicine Hat who was trying to rob another man of some money which I prevented him from doing.

Q.—And you tell us under oath that Mr. Bennett asked you to resign because you were protecting an honest man from a robber? Is that your oath? A.—Yes, sir.

Q.—That is the character you give Mr. Bennett—that he asked you to resign from the Dominion Government's service because you were protecting an honest man from a robber? A.—Yes.

Q.—And because Mr. Bennett asked you to resign from your employ in the Dominion Government because you were protecting an honest man from a robber, you resigned, eh? Because Mr. Bennett, a member of Parliament, or had been in Parliament, asked you to resign because you were protecting an honest man from a robber, you resigned? That is it, isn't it? Why do you hesitate about it? A.—I am not answering that question.

Q.—Well, I am asking you. The Committee will say something about whether you will answer or not? Is that what you did, because Mr. Bennett, a public man, asked you to resign because you were protecting an honest man from a robber, you immediately resigned. Is that it? A.—Because Mr. Bennett did not give the facts.

Q.—But you are not a child. You are not a child. Didn't you tell Mr. Bennett the facts? A.—He did not give me an opportunity.

Q.—And are you the kind of fellow that would resign under a cloud when Mr. Bennett was misrepresenting you? A.—I asked for an investigation which he refused to give.

Q.—Who? A.—Mr. Bennett.

Q.—He would not be the investigator, would he? Was he a member then? A.—Yes.

Q.—Who was your Ottawa superior? A.—Dr. Roche.

Q.—Would not Dr. Roche enquire into it? I don't want to get into party secrets. But would not Dr. Roche be the man you would make your statement to—not Bennett, you know? A.—Bennett had all to say about it.

Q.—Do you mean to tell me he could force you to resign if he wanted to? He only had the recommendation. A.—Well, that is pretty near the end of it.

Q.—And do you think Dr. Roche would not hear you if you presented your plea to Dr. Roche, the Minister in charge, and told him you were defending an honest man against a robber, he would accept Mr. Bennett's recommendation to retire you? A.—Possibly so.

Q.—You are not giving Mr. Bennett a very high credit, are you, to think he would dismiss a public man because he was defending an honest man against a robber? That is not giving him a very good character, is it, to be fair to Bennett? A.—Well, I have my own opinion.

Q.—Of Mr. Bennett, and probably he has his opinion of you when he asked you to resign. Were you trying to squeeze a man out of \$1,000 or \$1,500 that you had no right to? A.—No, sir.

Q.—Was that the charge Bennett brought against you? A.—No, sir.

Q.—Why did he ask you to resign? A.—Because this man's friends——

Q.—Who was the man? A.—Shaver.

Q.—Does he live near Medicine Hat? A.—He lives in Medicine Hat.

Q.—Who is he? A.—A rancher.

Q.—He did what, now? A.—He got his friends to go to Bennett in connection with the transaction.

Q.—Well, what was the transaction? Start at the transaction. What was the transaction? A.—The transaction that he was trying to put over was to rob his partner.

Q.—Shaver was trying to rob his partner? A.—Of \$3,000 odd.

Q.—In what respect? A.—In connection with an interest he had in his ranch which had been recently sold.

Q.—And you were Ranch Inspector? A.—Yes, and I held the transfer at Ottawa until this money was paid.

Q.—And you think that Bennett, knowing the facts, that one man was trying to rob another

man of \$3,000, and you were trying to protect the honest man, that therefore Bennett wanted your resignation? Is that the way you put it? A.—Oh, maybe so—yes.

Q.—Is it so? A.—He never knew the facts and does not know them yet.

Q.—Didn't you tell them? A.—Never gave me the opportunity.

Q.—Did he write you or speak to you? A.—He wrote to me.

Q.—You have not the letter with you, of course. What did he do—ask for your resignation?

A.—Told me I had better resign, under the circumstances.

Q.—And you resigned. You are not a simple five-year-old child. You knew you had rights about it, if any? A.—Yes.

Q.—And that is your explanation? A.—Yes.

Q.—You were a Government official for two years, yourself? A.—A little over two years.

Q.—You knew in all these five or six years that Daley was a Government official? A.—Yes, sir.

Q.—And you knew that you would have no right as a Government official to accept commissions, and you knew he would have no right to accept commissions such as he was proposing to you, wouldn't you? A.—I mentioned it to him.

Q.—You knew that, didn't you? A.—I knew what was true at Ottawa, but I do not know what is true here.

Q.—What do you know was true at Ottawa, different from Alberta, now, since you have mentioned it? Have they a different code of ethics there? A.—It is impossible to do such things, as Government official, at Ottawa, under your oath.

Q.—You knew perfectly well that Daley, a Government official, would have no right to accept commissions such as he was proposing to you all these years, didn't you? Why do you hesitate? A.—I did not know anything of the kind.

Q.—Do you sit here and pledge your oath that you thought that Daley would have a right to get as much commission and any kinds of commissions he could from these Mennonites? A.—He claimed—

Q.—I am not asking what he claimed. I am asking what you thought? A.—What I thought is quite different from what he claimed.

Q.—I am asking you, do you know that? A.—I might have supposed—yes.

Q.—You might have stood on your head. But what did you suppose? A.—It may have been illegal as far as I know.

Q.—Did you think it was right? A.—It is not right in principle, no.

Q.—Had you any reason to think he had any right to do it, then? A.—He was taking his own chances.

Q.—I did not ask you that. You were taking the same chances, too, morally at least? A.—No.

Q.—You think if a man is crooked and you know he is crooked and he is putting up a crooked deal as far as you are concerned, and if it brings you a dollar you are ready to take it? Is that your ethics?

MR. EWING: Tell us what Mr. Daley said. You interrupted him.

MR. MACKAY: I will take the Chairman's ruling.

MR. EWING: The witness should be permitted to complete an explanation when he makes it.

THE CHAIRMAN: He has to answer the question. We will give him an opportunity to make the explanation.

MR. MACKAY: I was asking the simple question: Didn't you know when Daley was proposing a deal whereby he would obtain commission on the sale of lands—didn't you know he had no right to those commissions? Why do you hesitate? I don't care how you answer. A.—He may have had a right to them as far as I know. He was always finding the money for Scott, the confidential agent.

Q.—Yes, I know, I know. But you are not answering my question. Did you think he had a right to? A.—What I thought—

Q.—Well, what did you think when you entered into these deals? What you thought and what you did are two different things. Is that it? A.—Yes.

Q.—I think so. Then you thought it was wrong, but you joined in with him in the deal, is that it? A.—I mentioned it to him, but he said he was willing to take his chances.

Q.—You mentioned the fact that it was not right? A.—Yes, as far as I knew it was not right.

Q.—And he was willing to take his chances, and of course you were willing to go on and take your chances. Is that it? A.—I took my chances—yes.

Q.—Then it is this way, that you were willing for several years, without warning the Government that he was serving, to deal with him or to attempt to make deals whereby he would obtain commissions that you knew were wrong? A.—That is his look-out altogether.

Q.—But you were willing to do it. I don't know, morally, that it is his look-out altogether. A.—I think so.

Q.—Do you think you have no concern, morally, about it? A.—I am in the real estate business, sir.

Q.—Let us understand. Do you mean that to be tantamount to saying you believe all real estate agents are crooked? A.—No.

Q.—Then why do you say you are in the real estate business? Do you think there is a code of morals that does not exist for other people? A.—No, sir.

Q.—You did it? A.—I never did.

Q.—You tried to? A.—But it is not doing anything.

Q.—It is not doing anything to go out to the Baxter Reid farm and try to sell it on the understanding you would get half? A.—Mr. Scott came to my office and arranged in my office and their arrangements were together, and Mr. Scott was the confidential agent of the Mennonites.

Q.—I thought Daley was arranging? A.—He did arrange, too, and helped to arrange. That is his look-out with Scott.

Q.—What about his look-out with you? You were helping him on in the arrangement by joining in with him and try to sell these lands, weren't you? A.—That may be true to a certain extent—yes.

Q.—Is it only true to a certain extent? Didn't you do the best you could to sell them under those conditions? A.—Showed him the properties.

Q.—Didn't you try to sell them? A.—Yes.

Q.—Did you know about Connor sending a telegram of complaint on April the 22nd last to the Minister, Mr. Marshall? A.—Knew nothing about it.

Q.—When did you first hear about it? A.—I saw it in the newspaper a week ago, I think.

Q.—Did you ever send a complaint to the Department or notify them? A.—No, sir.

Q.—How long have you been dealing with Daley in this way, trying to make sales and split commissions—five or six years? A.—1915 was the first.

Q.—That is four years, the first that is on record. I don't know but what you might have had others earlier. A.—I think he had his own place listed with me for sale.

Q.—But you had no other dealings earlier on a somewhat similar plan, had you? A.—No.

Q.—And during those six years you never intimated to the Government that he was trying to get commissions, did you? A.—No, sir.

Q.—Is that because you are a real estate agent? A.—I don't know that it is necessary to—

Q.—You do not think it is necessary. It is not absolutely necessary. Then you were out here to this Bow River ranch. Goddard was the owner, was he? A.—Yes, sir.

Q.—And you and Daley arranged with Goddard that he should raise his price and he agreed to raise the price an extra dollar? A.—Yes.

Q.—How much did he want for the land, first? A.—\$17.

Q.—And there was to be a dollar commission; that is, it would sell to the Mennonites for \$18? A.—Yes.

Q.—And you and Daley agreed with Goddard that it should be quoted at \$19, so there would be \$2.00? A.—No, \$18.

Q.—You put an extra dollar on? A.—\$17 was the —

Q.—Did \$17 include the dollar commission? A.—Yes.

Q.—And you and Goddard agreed that Goddard should ask \$18 and there was \$18 to be charged the Mennonites and you people would divide the \$2.00 an acre between you? A.—No, I think the dollar an acre he should get himself—he would get the extra dollar himself.

Q.—You were to get fifty cents and he should get a dollar and a half? A.—I am not swearing to that. I am not very positive.

Q.—No. You think that you, a business man, would go over there and lands being sold at \$17 on which there was a dollar to be split, you would agree with Goddard and Daley to raise it another dollar and give Daley the whole dollar? Are you telling us that? A.—I think that is correct—yes.

(Shorthand notes of questions by Mr. Ewing to this witness and his answers thereto read.):

“Q.—What arrangements? A.—The commission to be divided in half. Q.—He was to “get half? A.—Yes; the commission in that particular case was to be a dollar an acre. Q.—And “he would get just fifty cents an acre? A.—Yes. But at the ranch he made a further suggestion “that we add a dollar to the price, which Mr. Goddard, the owner, agreed to, which was to be “divided as well.”

Q.—Which statement is true? A.—The latter.

Q.—And the statement to me that you thought he was to take the extra dollar entirely was false? A.—No, it was not false.

Q.—Why isn't it?

MR. EWING: The statement that is now put to the witness is the statement then—he thought was false.

MR. MACKAY: You stated that extra dollar should be divided fifty-fifty, in your examination in chief? A.—It was not very definitely arranged; it was made on the ranch; it was not possible to do it there. He asked to have the extra dollar added.

Q.—Didn't you split the extra dollar? A.—There was nothing positively and definitely arranged.

(Previous question and answer read as follows):

“Q.—And he would just get fifty cents an acre? A.—Yes. But at the ranch he made a “further suggestion that we add a dollar to the price, which Mr. Goddard, the owner, agreed to, “which was to be divided as well.”

Q.—How was it to be divided? A.—Nothing positive was arranged. I thought it was to be divided.

Q.—You explained clearly the first dollar was to be divided fifty-fifty, and the three of you agreed that another dollar was to be added and you, under oath, said that dollar was to be divided as well? A.—He suggested it should be added, which we agreed to.

Q.—We passed that. And you said under oath that that dollar was to be divided as well. and now you tell us under oath you thought he was going to take it all? A.—I imagined he was.

Q.—Would that be dividing it as well as the other dollar? A.—It would be a division of it,

Q.—And that is your oath? And you state under oath that you think that would be a fair division—a good division? I ask you again, wasn't it agreed that the second dollar would be divided just the same as the other? A.—Not to my recollection it was not.

Q.—What did you mean when you said the second dollar was to be divided as well? What did you mean by that answer a few minutes ago? A.—There was nothing positively or definitely arranged.

Q.—What did you mean by your answer that it was to be divided as well? Didn't you mean you would get part of it? A.—I might have got a third of it.

Q.—What do you mean? A.—There was nothing positive or definite arranged about it. He was not in a position to do different.

Q.—Why? A.—Because there would be too much publicity with the principals there on the ranch.

Q.—Weren't you telling the truth under oath a few minutes ago when you told Mr. Ewing that that extra dollar was to be divided as well? Is that statement true? A.—It was to a certain extent.

Q.—Your own statement under oath—is it true or only to a certain extent? A.—As far as I know it is true.

Q.—You meant what you stated, when you agreed that that extra dollar was to be divided as well—you meant that, didn't you? A.—As far as I know—yes.

Q.—And are you telling us now that that could possibly mean he could take it all? A.—It might mean that.

Q.—And that is your oath; and you are solemnly stating that under oath, are you—that there could be a division and one man take it all? Is that what you mean? A.—They could divide it among themselves.

Q.—But there was not talk of dividing it among themselves? A.—Yes, there was talk.

Q.—You said that each was to get half, then the three of you put another dollar on and you say that was to be divided as well. And didn't you mean just the same kind of division as the other?

Q.—Didn't you mean that?

Q.—Didn't you mean that?

Q.—Why do you hesitate?

Q.—Didn't you mean that?

Q.—Didn't you mean it or did you?

Q.—Didn't you mean that? A.—Well, you can take what meaning you wish.

Q.—I did not ask you. A.—I have said all I need to say.

Q.—Yes, I think you have said plenty, if you ask me. I don't think I will trouble the Committee any further with you.

MR. EWING: You spoke a moment ago about Mr. Daley claimed he had a right to take commissions. Just make that explanation, will you? Mr. Mackay interrupted you when you were about to say that Mr. Daley claimed he had the right to take commissions.

MR. MACKAY: I did not interrupt him if he was answering a question he was asked. But he was trying to sidestep.

MR. EWING: When you were attempting to make an answer when Mr. Mackay interrupted you, you were going on to say that Mr. Daley claimed his right to commission. Now what have you to say about it? A.—He claimed to me he had a perfect right to get commissions if he wanted to, and it was nobody's business. I asked him the question in my office and he said it was his own business and he would protect himself.

Q.—And all this we have heard does not alter your evidence in the slightest degree about what took place in connection with the Baxter and Reid ranch and the other ranch, as to the settlement of the Mennonites up there?

MR. BOYLE: Let the witness give the evidence.

A.—No, it does not alter my evidence.

MR. MACKAY: In other words, it is perfectly plain that Daley and you were dividing and intending to divide on a fifty-fifty basis whatever commissions you could make? That is plain, of course? A.—He always mentioned Scott. Scott was the man who was to get the commission.

Q.—You were going to pay it to Scott and not to Daley? A.—The money was to be paid to Scott in which he was sharing.

Q.—You were dividing with Scott fifty-fifty; is that it? A.—Mr. Scott came to the office—

Q.—Were you intending to divide with Scott on the fifty-fifty basis? A.—I would have had to divide with Scott, no doubt.

Q.—On the fifty-fifty basis? A.—According to arrangement.

Q.—That was the arrangement? A.—It was in the one case—yes.

Q.—Did you ever make a different percentage than the fifty-fifty basis? A.—Only as negotiations progressed. They asked to have more commission placed on it.

Q.—But did they do that on more than one occasion? A.—Yes, they wanted to add another dollar to the Baxter Reid ranch.

Q.—Who? A.—Mr. Scott and Mr. Daley.

Q.—They were both there? A.—No, Scott was not at the ranch; he was in the office.

Q.—Who wanted to do it? A.—Mr. Scott and Mr. Daley.

Q.—To add another dollar to the Baxter Reid price? A.—Yes.

Q.—And you were to divide with Scott another dollar. Is that right? A.—I do not recollect what arrangement was made about that.

Q.—You do not know what the percentage was? A.—No. I am speaking of the extra dollar. I do not know what arrangement was made about that. I have forgotten.

Q.—You know what percentage you were to get? A.—No, I have no recollection of it. It was only a suggestion.

Q.—There was a proposed arrangement you would divide the extra dollar? A.—I suppose they expected it to fall out on the same basis as the previous arrangement.

Q.—And what did you expect? Did you expect differently? A.—I would look for my fifty—yes.

Q.—Whose ranch was it the solicitor would not allow you to advance the price on? A.—The Baxter Reid ranch.

Q.—Now, then, you told us before when he proposed the dollar—— A.—I never made any positive arrangement about it at all.

Q.—You told us in your examination in chief when he proposed the extra dollar that the solicitor controlled it and he would not allow it, and now you state you did make the extra dollar and arranged to divide it fifty-fifty? A.—There was no positive arrangement made about it.

(Previous questions put to this witness and answers thereto read from shorthand notes):

“Q.—Now with relation to commissions. They were to be divided equally, you say? A.—“Yes, they were to be divided in half. In fact the net figure for the Baxter Reid ranch was to “be \$20 and he had suggested to me that we make it \$22. I had made it \$21. He made a sug-
“gestion to me we make it \$22. Q.—What would that allow you commission? A.—Fifty-fifty,
“\$1 each. Q.—You would have \$2.00 an acre commission at \$22? A.—Yes. Q.—And what
“did you say to that? A.—Well, I had no guarantee I could make such a contract with any
“person. In fact the solicitor in Calgary which was Mr. Walters, would not protect me for
“more than a dollar an acre.”

Q.—You told us before, that the solicitor would not protect you for more than one dollar an acre and you have told me just recently that you discussed the extra dollar on a division of fifty-fifty and hoped to get it. Can you reconcile those answers? A.—They discussed it.

Q.—You said you discussed it? A.—They discussed the extra dollar with me.

Q.—And you hoped to get your share? Do you forget that, that you hoped to get your share? A.—It might be. They discussed it with me.

Q.—Mr. Chairman, I want the question answered. I am pointing out to him that he said in his examination in chief he could not go higher than a dollar, the solicitor would not guarantee him, and he could not do that. And then, in your cross examination, you say that you both discussed it and you hoped to get your share of the extra dollar. A.—I could not prevent him discussing it with me, could I?

Q.—And you did not discuss it at all? A.—I told him I did not think it was possible.

Q.—Why did you tell me you hoped to get your share of the extra dollar and then did not think it was possible? A.—I might hope to, as well.

Q.—You hoped to, and at the same time you did not think it was possible? You could hope for the impossible? A.—Well, many things we hope for and do not get them.

Q.—And you never made any suggestions? A.—He made the suggestions himself.

Q.—But you agreed to them—did you? A.—Well,——

Q.—Did you turn them down? Did you say: “No, we won’t talk of it”? A.—You are not in a position talk about these things sometimes.

MR. EWING: You are not treating the witness fairly. The witness has made it quite clear that the solicitor could not guarantee an extra dollar. What would happen if the extra dollar was obtained, he says nothing was said about it.

MR. MACKAY: No, he did not say that. He said in his examination in chief the solicitor would not guarantee him the dollar. He said in his cross examination they discussed the further dollar and he hoped to get his share.

A.—I might hope that, too.

Q.—Did you hope to? A.—I had no idea of getting it.

Q.—Were you telling me the truth when you told me you hoped to get it? A.—I won’t discuss it any further.

MR. EWING: I think it is quite clear.

MR. MACKAY: It is perfectly clear, I should think, to the Committee.

MR. EWING: I think it is quite clear.

MR. MACKAY: I am certain it is clear, and when you come to read the evidence you will find it is clearer than you want it.

MR. EWING: Oh, no, it can’t be clearer than I want it.

MR. MACKAY: Did you tell anybody with reference to this extra dollar on the Baxter Reid ranch that you thought you would get the solicitor to recommend it? A.—Not to my knowledge, no.

Q.—You say you did not? A.—No.

MR. EWING: Have you anything you want to say? If so, you can say it now.

A.—I want to say this, when I met those Mennonites at Olds the second time, a Mr. Paul Walman, who was the leader of them, told me that he had just returned from Edmonton, had been up here to see the Government, and he had been up here to find out where they stood in the Province and I asked him if he felt perfectly comfortable about it and he said he did. Who he saw in connection with the Government, I don't know.

Q.—That is all he told you? A.—That is all he told me.

Q.—Who was this, Paul who? A.—Paul Walman. He was the leader of these Mennonites.

Q.—And where did he tell you this? At Olds? A.—He told me this at Olds in the livery barn there.

MR. MACKAY: Did he tell you who he was? A.—He did not tell me.

Q.—Did you ask him? A.—I did not ask him.

Q.—Where is Paul Walman now? Do you know? A.—He may be in the south country as far as I know.

Q.—Have you seen him there recently? A.—I have not seen him for some time.

Q.—Do you know whether he is in the country now? A.—He is in the south country and in one of these colonies.

Q.—You think he is? A.—Yes.

MR. BOYLE: You are giving voluntary evidence now before a Committee. Do you think it is fair to make a statement to this Committee about some person that is not here and you do not know where he is who told you that he had seen the Government, without you knowing who the Government was, who the official was—to make that statement to the Committee that this man made this statement to you, when his evidence cannot be produced? Do you think that is a fair thing to this Committee? A.—I think you can get his evidence if you go after him.

Q.—I am not asking that. I was asking if you think that is quite fair? A.—I think it is quite fair. I think the man made the statement in a fair way as far as I know. Everything seemed to be very satisfactory.

Q.—That is just what I asked you. I just wanted to get your idea of fairness.

MR. MACKAY: Was that what you were whispering in Mr. Ewing's ear a moment ago, that you ought to tell that? A.—No; it was something else.

W. H. ROWAN, called and sworn, testified as follows:

MR. EWING: You are a real estate agent in the city of Calgary? A.—Yes.

Q.—And were during 1918? A.—Yes.

Q.—You were connected with the firm of Connor and Farleigh at that time? A.—Yes.

Q.—Do you know Mr. Daley? A.—I do.

Q.—You had some dealings with him in the year 1918? A.—Yes.

Q.—Where did you first meet him? A.—I met him in the office of Connor and Farleigh and was introduced by Mr. Spaulding to him.

Q.—Some arrangements were made about commissions with Mr. Daley in your presence, were they? A.—Yes.

Q.—What were those arrangements? A.—The arrangements that were made was that whatever commission was made out in the ranches that were sold, that we were to get an equal split.

Q.—That is, Mr. Daley was to get half? A.—And Connor and Farleigh.

Q.—You saw Mr. Daley recently after that, did you? A.—I did.

Q.—And you discussed commissions at various times, did you, or did you not? A.—No, not at various times. I did not discuss commissions very much at all. There was one time when there was a commission, we spoke about the deal and about Mr. Scott—the interests that he would have in it, and at that time Mr. Daley thought it would be better for he and Mr. Scott to have a letter from Messrs. Connor and Farleigh telling them where they were at.

Q.—Where they were at with respect to commissions? A.—Exactly.

Q.—And how did Mr. Scott come in on the commissions, as you understood the arrangement?

A.—Well, as far as I knew, I thought it was a split between Mr. Scott and Mr. Daley.

Q.—Did you ever hear Mr. Daley speak of a split of it in any way? A.—I did not.

Q.—You never heard anyone else discuss it as to splitting the commission? A.—I did not.

Q.—You then had dealings with Mr. Daley in connection with the Judson farm, had you? A.—I did.

Q.—Did you go down at that time with Mr. Daley to the Judson farm? A.—What time?

Q.—At the first time Mr. Daley went down to your knowledge, or the time they all went down? A.—Yes.

Q.—You went along, did you? A.—Well, I met the bunch in Taber.

Q.—You met them in Taber. You were down there previously? A.—Well, I went there to meet them by appointment.

Q.—Was commissions discussed then? A.—No, no commission was discussed.

Q.—Did Mr. Daley ever mention to you—give any reason why his commission should

be larger than it otherwise would be? I mean was that subject ever discussed? A.—No, not at that time.

Q.—Well, at any time I am speaking of? A.—Well, of course, the original farm to be sold was the Judson farm which consisted of 5,943 acres. There was to be a five per cent. commission paid on that farm.

Q.—A five per cent. commission? A.—Yes, everybody was conversant with that commission. Afterwards, after getting to Taber—I met Mr. Connor and Mr. Gibson in Lethbridge and we all three went to Taber and by arrangement met Mr. Daley, Mr. Scott and I forget the number of Mennonites. Mr. Connor and Mr. Gibson left that morning for the Judson ranch.

Q.—Did you go? A.—I did not.

Q.—Were you down with them at all at the Judson ranch? A.—I was. My duty was to wait until the Mennonites arrived from Cardston or some place down there and act as guide and take them out there.

Q.—I am asking you now what further discussion you had with Mr. Daley with reference to commissions? A.—Well, of course there was a discussion or talk that there was to be more land put in besides the Judson ranch.

Q.—And how would that affect the commissions? A.—Well, of course there was to be more money put on the Taber lands.

Q.—That is, you were to get a higher commission? A.—Exactly.

Q.—Who mentioned that first? A.—Well, I believe Mr. Daley.

Q.—Mr. Daley mentioned it? A.—Yes.

Q.—What did he say? A.—Well, he said that these lands were much cheaper, that is the surrounding lands, and that there were so many men that had to get a division out of it that we would likely have to put more money on.

Q.—What men did he say would have to get a division out of it? A.—Well, of course the men that were arranging the listing of the surrounding lands—Mr. Judson was one. Mr. Judson was supposed to have got a recompense. Mr. McBain, an Alberta Pacific Grain buyer from Taber, he was supposed to get some.

Q.—Mr. Daley was protecting all them, was he? Was that the arrangement? A.—Well, I understood he was. It was to be equally divided if the deal went through.

Q.—And all this was to come out of the half that went to Daley? A.—Well, I would not say that.

Q.—It was not to come out of yours? A.—It would be equally divided out of ours—it was not discussed that way, but I would naturally think that each one would have to pay their equal share because it was spoken of on a fifty-fifty basis.

Q.—Did Mr. Daley give any reason why he required a higher commission? A.—No.

Q.—At any time subsequent to that? A.—No.

Q.—Never did that, eh? A.—Never did that.

Q.—Well, now, you discussed commissions with Mr. Daley after that, didn't you? A.—No.

Q.—That was the only time you discussed commissions with him. You had nothing to do with the Baxter Reid ranch, had you? A.—No, sir.

Q.—What other ranch had you to deal with that Mr. Daley was interested in in connection with the commissions on? A.—Well, I had no interest whatever. There was an inspection made of two other ranches, the Old Circle south of the Blackfoot Reserve, we drove through there but it was immediately turned down. On the following day or sometime after that, I just forget the dates, we left for the Glengarry ranch, west of Claresholm, and inspected it. It was also turned down. There was no discussion whatever about it.

Q.—Before you went to these last two ranches that you have mentioned, did Mr. Daley make an arrangement re commissions? A.—Not any more than reckoning on a fifty-fifty basis.

Q.—Oh, fifty-fifty basis applied to everything? A.—It was understood.

Q.—In connection with any of these transactions did Mr. Daley at any time, outside the time you have mentioned in connection with the Judson ranch, ask for an increased commission—that you should raise the whole commission? A.—No, sir.

Q.—He did not. I suppose Mr. Connor discussed this thing? Did Mr. Connor ever discuss this with Mr. Daley in your presence—the question of commissions? A.—Well, there was a very short discussion. Mr. Connor was very agreeable about the commissions and about giving Mr. Daley a letter of protection.

Q.—Do you know if he gave him a letter of protection? A.—Well, I am pretty sure he did.

Q.—Did you see it? A.—No, but I am pretty sure. I was busy in the office at the time, but I think the typewriter was—everything seemed to be satisfactory.

Q.—The sale did not go through on the Judson ranch, did it? A.—No, sir.

Q.—Did you ever hear of Mr. Daley asking for a commission of three dollars or four dollars an acre? A.—I did.

Q.—What was that in connection with? A.—That was in regard to a letter.

Q.—What letter? A.—A letter that came to the office—came to Mr. Spaulding.

Q.—You saw that letter, did you? A.—I did.

Q.—When you later spoke to Mr. Daley, was there any further suggestions along the lines of the letter—along the line of that letter that you saw? A.—Well, yes, in regard to those adjoining lands.

Q.—But what commissions did he ask in reference to those adjoining lands? A.—Well, it was so that the cheap land would not make the dear land look too dear.

Q.—He did not want the dear land to look too dear? A.—Exactly.

Q.—What commission did he suggest an acre for this cheaper land? A.—Well, the commission that was suggested in the letter.

Q.—He repeated that in the conversation you had with him? A.—Yes in the same conversation.

Q.—Did you know that Mr. Daley was dividing up his commission with somebody else? A.—I did.

Q.—With whom? A.—With Mr. Scott.

Q.—With any person else? A.—No person else.

Q.—Did you hear him suggest that someone else might be? A.—I did not.

MR. MACKAY: On the Judson land the commission was to be five per cent. on the sale price? A.—Exactly.

Q.—And that would be divided fifty-fifty between Connor and your crowd, and Daley and Scott on the other side. And this reference to lands that were spoken of as being taken in around it, Daley suggested putting a higher price on. That would make the commission greater than a dollar an acre? A.—Yes.

Q.—Two dollars or three dollars an acre, wasn't it? A.—Yes.

Q.—Did you know that Connor sent a telegram to the Department? A.—He told me that he did.

Q.—He told you the same night that he sent it? A.—He did.

Q.—He thought that Daley was not playing straight with him? A.—Yes.

Q.—He thought that Daley was raising the price of these other lands? A.—Well, excuse me. I don't know as he mentioned Daley so much; it was Mr. Scott.

Q.—Were Scott and Daley together pretty well that day? They were both there? A.—Yes, sir.

Q.—Then he was not trusting Scott, then? Did he think that the extra price was put on the cheaper lands so as to raise the whole higher and thereby possibly lead to the sale of another ranch that Connor would not have a commission in—you know—the Knight ranch? A.—Yes, I know that. Put that question again, will you?

Q.—Did Connor think that possibly the reason—

MR. EWING: How can you ask him what Connor thought?

MR. MACKAY: Pardon me—from what he said.

Q.—From your conversations—did he indicate to you in his conversations that he thought that the reason that the extra price was being put on these lands outside the Judson ranch was to raise the whole thing so high they would not sell and probably the Mennonites would buy some other ranch? A.—Yes.

Q.—He thought that? A.—Yes.

Q.—And what was the other ranch that was contrasted with it? A.—The Knight Watson ranch.

Q.—In the Knight Watson ranch—Connor and you people did not have that—and you would not have any commission? A.—No, sir.

Q.—I thought so. Did Connor give you to understand that the reason he sent the telegram to the Department was that he thought Scott was working it so you would be cut out of commission and the Mennonites might buy the other ranch and you would not get any commission? Is that right? A.—Put that again, will you please?

Q.—I am going too fast. I am speaking now from what Connor told you. Did Connor give you to understand that he doubted Scott's interest in the thing and the object of raising the price outside the Judson farm was to raise the whole thing so high that the Mennonites might buy the Knight Watson ranch and not this one? A.—Well, I would not like to say that.

Q.—Was it something like that? A.—I would not like to say that.

Q.—He did not think Scott was playing him fair, anyway? A.—No, he did not.

Q.—And that is why he sent the telegram? A.—Yes.

Q.—And of course Daley and Scott were acting together. He did not think they were playing fair. Did not Connor say something about the Knight Watson ranch? A.—Yes.

Q.—And it was up for sale? A.—Yes.

Q.—And you were only working for Connor? A.—Yes.

Q.—You were a salesman? A.—Yes.

Q.—On salary? A.—On a commission.

Q.—And there was a danger they might buy the Knight Watson ranch in which Connor and you people would have no commission? A.—Yes.

Q.—And didn't he suggest to you that the reason the prices were raised outside the Judson ranch was to raise the whole thing so that possibly the Mennonites would not buy and possibly buy the Knight Watson? A.—Yes.

Q.—I gathered that from Connor's evidence, although he would not tell me. And therefore he sent the telegram to the Department against Daley? A.—Yes.

Q.—Did you take the other ground, that Daley and Scott were playing fair? A.—I did.

Q.—And you thought he made a mistake in sending the telegram? A.—I did.

Q.—And you told him so? A.—Yes.

Q.—I thought so. Do you remember the price of the Judson ranch by itself? Do you remember the total price? A.—Well, I have the original listing in my pocket.

Q.—Perhaps we had better settle that. That is a good way of getting it. How much is it? A.—Twenty-six dollars an acre.

Q.—And what price was put on the lands around it? Have you got that there? A.—No; that was a later proposition. This is the original listing; 5,943 acres from Mr. Judson.

Q.—Is the commission mentioned there? A.—When I went down to take this listing right here I told Mr. Judson we had people interested. I had been writing Mr. Judson and this was the time he asked me to come down, that he would not list this land unless I made the inspection, and I told him I had people interested and it was one dollar an acre. But when I had people interested he said he would protect me for five per cent. on the people that I had.

Q.—He would protect you for five per cent. on his sale. This says one dollar an acre. Does that equal that? A.—Well, if you read on right through you will see there.

Q.—Read it.

A.—(Reading)—“The seller has option of selling at quoted price of \$26 per acre to people already in prospect and if sold at that price vendor to pay five per cent. commission, but under-stand price to sellers are to hold farm at \$25 per acre, vendor to pay a commission of one dollar per acre only on completion of sale.” So that was the arrangement with the people that were already spoken to and were negotiating, that that had to be paid, and then one dollar per acre to any new people.

Q.—Is that your writing there? A.—That is Mr. Judson's own writing on his original listing.

Q.—Was there any other later listing that you know of? A.—No; we were working on that listing all through.

Q.—No other listing that you know of. Show me what you mean? (Reading from document): “I have quoted to the gentlemen you brought today a price of \$27 per acre on 9,400 acres odd, shown on map, price to be good to first Day of June. If we do not sell before that day any of the above we are taking care of you for two dollars per acre.” Is that 9,400 more than his own land? A.—Yes.

Q.—That would take in part of the outside lands? A.—Yes.

Q.—Did Daley have anything to do with that? A.—Yes, sir.

Q.—So after the end of April, in the month of May, Daley was still dealing with you people? A.—Yes, sir.

Q.—And that letter you produce, is that May the first? A.—Yes, sir.

Q.—Shows that he is willing to give you two dollars an acre on 9,400? A.—Yes, sir.

Q.—His own was between 5,000 and 6,000? A.—5,943.

Q.—And the balance would be near that block? A.—Yes.

Q.—And he had quoted \$27 and was to give you people two dollars an acre? A.—Yes.

Q.—And how was that two dollars to be divided? A.—On an equal basis—the same basis.

Q.—And did discussions as to that continue for some time in May? A.—This was the first time that I had any Mennonites down to inspect the Judson Ranch.

Q.—Were you down on that date? A.—Yes.

Q.—And he gave you that letter while you were down? A.—Yes. We were to get a definite answer from Judson inside of a week and this was Mr. Judson protecting me until we had the answer from the Mennonites.

Q.—During the week. And this protected you during the meantime? A.—Exactly.

Q.—If they bought? A.—Exactly.

Q.—And Daley and you people were in on that on a fifty-fifty basis? A.—Yes.

Q.—And was there any other basis that you know of, that Daley and you and Scott were in on except on a fifty-fifty basis? A.—No.

Q.—And after that was Daley still occasionally in the office with you people trying to get commissions—to make sales and so on? A.—No, sir.

MR. EWING: Did you take this last letter on behalf of Connor and Farleigh? A.—No, sir.

Q.—This was on your own? A.—Yes, sir.

Q.—You were not acting for Connor and Farleigh at all when you took that? A.—No, sir.

Q.—You did not tell Mr. Connor about it. A.—No, sir.

Q.—He probably never heard about it, did he? A.—Well, I don't know as he did.

Q.—Do you know Mr. Daley's brother? A.—I do.

Q.—Has he seen you recently? Have you been talking to him recently? A.—Yes.

Q.—He discussed with you the evidence which you would give before this Committee? A.—No, sir.

Q.—Did not mention the evidence? A.—No, sir.

Q.—Where did you see him last? A.—In my office in Calgary.

Q.—What did he come to your office for? A.—I do not know. He had no business in connection with me whatever.

Q.—No business in connection with you? A.—No, sir.

Q.—Did you discuss anything in connection with Mr. R. J. Daley's business? A.—No, sir not a word.

Q.—Never mentioned it? A.—No, sir.

MR. MACKAY: I think you told Mr. Ewing that in all of these conversations with Daley

you never learned from him that he was to share up with anybody but Scott? A.—That is correct.

J. L. GIBSON, called and sworn, testified as follows:

MR. EWING: You were connected with the real estate business in 1918? A.—Yes.

Q.—With the firm of Connor and Farleigh? A.—Yes.

Q.—Do you know Mr. Daley? A.—Yes.

Q.—Did you have any discussions with Mr. Daley about the commissions which he was to get? A.—No.

Q.—Did you hear any discussions? A.—Yes.

Q.—Where did you hear those discussions? A.—In Connor and Farleigh's office.

Q.—Were you present the day that Mr. Daley first came up there? A.—I do not know. I saw him once there.

Q.—You saw him once, did you, in Connor and Farleigh's office? A.—I saw him somewhere about the 15th and 20th of April. I should think, somewhere along there.

Q.—Was that the time Mr. Spaulding brought him up, or do you remember that? A.—No. I was in the office with Mr. Connor at the time and he came in.

Q.—Did you discuss commissions then? A.—He was discussing with Mr. Connor, yes.

Q.—What was the discussion? A.—He wanted to make arrangements with Mr. Connor as to sufficient money being put on to protect someone—some high official here. He said the Government was behind it; it was to do with Mennonites, the Government was behind it and he had to put on more than the ordinary commission in order to protect some high official.

Q.—He said the Government was behind this and he had to put on a higher commission to protect some higher official? A.—Yes.

Q.—Did he mention the name of the higher official? A.—No.

Q.—Did Mr. Connor ask him the name of the higher official? A.—No. The only name that came in was Mr. Marshall's name as being instrumental in getting the Mennonites up in this country.

Q.—How did that come in? A.—During the discussion.

Q.—But who introduced it? Do you remember. A.—No, it was nothing interesting to me. I was in the office and interested in other things.

Q.—But you just heard this discussion? A.—Yes.

Q.—Well, do you remember whether any discussion was spoken of by Mr. Daley? I mean any amount of commission? A.—No; several dollars, I think it was.

Q.—Several dollars—what do you mean by that? A.—Well, I would not care to swear to any specific sum. I do not remember.

Q.—Your memory is not clear enough? A.—No; I was sick at the time—very sick.

Q.—And you are a returned soldier, are you? A.—Yes.

Q.—Did you ever see Mr. Daley after that again? A.—Yes.

Q.—Where? A.—I saw him at Taber at Judson's place.

Q.—You went down? A.—I went with Mr. Connor.

Q.—And you met Mr. Daley, did you not? A.—Yes.

Q.—Where? A.—The next time I saw him I think was at Judson's farm.

Q.—Did any discussions take place there with reference to commissions or did any discussions, which you heard, take place between Mr. Daley and anybody else with reference to commissions? A.—No.

Q.—You did not hear any discussion? A.—No.

Q.—And really the only discussion you heard was on the occasion of his visit to Mr. Connor's office? A.—That is right.

Q.—And is there anything now concerning that that you have not told us? You have told us all you remember about that? A.—Yes, yes, I think anything that is relevant to the case.

Q.—You cannot recall the amount of commission that was mentioned by Mr. Daley on that occasion? A.—Mr. Connor showed me a letter written by Daley to Spaulding with a foot note. That is the only thing specific.

Q.—But I am speaking of the conversation in the office? A.—No. He said it had to be a considerable amount over the ordinary commission, in order to protect some high official.

Q.—A considerable amount over the ordinary commission to protect some high official? A.—Yes.

Q.—And did no discussion take place as to who that high official was? A.—Well, I would not care to say it did. I had my own business there in the office at the same time. We were getting ready for a trip and I was getting my papers and things and so on.

Q.—And you cannot recall if any name was mentioned? A.—No. The only name that was mentioned was Mr. Marshall's, who was instrumental in bringing the Mennonites into this country.

Q.—But I mean with reference to who was to divide the commission? A.—No.

Q.—And you saw Mr. Daley on more than one occasion after that, did you not? A.—Yes, I saw him after that in the office, in Connor and Farleigh's office, for some time after, I think, I could not give you the date, and at High River.

Q.—Well, take the first occasion you saw him in Connor and Farleigh's office. What took place? A.—Nothing as far as I know. I just saw him there.

Q.—You did not talk with him? A.—No.

Q.—And you did not hear him talking with anybody else? A.—No.

Q.—And what about High River—the time you saw him in High River? A.—He came there and he went out to look at this place at High River. I was there.

Q.—Was any commission arranged for in your hearing at that time? A.—No.

Q.—You were just an employee? A.—No, I was not an employee. I had three objects in view; my health, and I was going into real estate and getting in touch with values—I had been away three years—and getting in contact with people.

Q.—And it was only the conversation that you heard incidentally A.—Yes?

Q.—On the occasion which you heard—were you in Mr. Connor's office when Mr. Daley called? A.—Yes.

Q.—You were in the room with Mr. Connor? A.—Yes, Mr. Connor and I were there.

Q.—And did Mr. Connor do all the talking with Mr. Daley? A.—Oh, yes.

Q.—You took no part. A.—No.

Q.—You merely heard what was going on? A.—Yes.

MR. MACKAY: You were not an employee in the office then? A.—No.

Q.—You were not getting any commission or anything? A.—No.

Q.—You were just learning the real estate business? A.—No; I had an interest in some land with Mr. Connor at Lethbridge; that is why I went down to Taber to Judson's.

Q.—I thought you said you were getting something about values and so on? A.—Yes, had three objects.

Q.—One was to get—to understand the real estate business? A.—To get in touch with values, and my health and I had an interest in a section of land near Lethbridge with Mr. Connor.

Q.—And you were in Connor's office in that way? A.—Yes.

Q.—Were you there regularly then? A.—I had only been back two or three days.

Q.—How long did you stay in his office then? A.—A month or two.

Q.—Was Mr. Rowan in the office when Connor was there? A.—Yes.

Q.—When this conversation took place? A.—No, just Mr. Connor and myself.

Q.—I suppose Daley was doing a good deal of talking? A.—They were both talking, discussing the thing.

Q.—Was that the first time you had seen Daley? A.—Yes. I was introduced to him.

Q.—How did he strike you as to the conversation? Was he holding himself out to be a pretty important man? A.—Yes.

Q.—I thought so. He was a very influential fellow and he told you he was working for the Government, or did you learn that? A.—He said the Government was behind him and Mr. Marshall was bringing these people in.

Q.—And he was going to hunt them up land? A.—Yes.

Q.—And that was the only connection in which he mentioned Mr. Marshall's name, that you recall? A.—Yes.

Q.—That he was bringing these people in from the States, or was it said? A.—No.

Q.—And he was quite an important fellow himself, Daley was? A.—Yes. He did not interest me an awful lot, you know.

Q.—And did he have anybody else behind him to add to his importance, that he said at that time? A.—No; just the Government behind him.

Q.—Was the division of commission spoken of in your presence? A.—Well, I overheard this conversation.

Q.—You were in another room, perhaps? A.—I heard the conversation, but I was not taking part.

Q.—Did you hear the commission spoken of? A.—No. It had to be a considerable amount to take care of a high official.

Q.—But you did not hear any sum that was mentioned? A.—No. The only specific sum I know is a letter I have seen.

Q.—That is the letter which is here? A.—Yes.

MR. EWING: Do you mean a specific sum might have been mentioned and you not hear it? A.—Oh, yes.

MR. MACKAY: Anything could have been mentioned that he did not hear.

MR. EWING: There were portions of the conversation which you cannot pretend—you cannot pretend to tell here all the conversation, can you? A.—No.

L. E. STANDEFER, called and sworn, testified as follows:

MR. MACKAY: Where do you live? A.—Camrose.

Q.—How long have you known Mr. Daley? A.—Since 1905.

Q.—Do you know Mr. Connor? A.—No.

Q.—Do you know Mr. Rowan? A.—No.

Q.—Do you know Spaulding? A.—Yes, I know Mr. Spaulding.

Q.—Do you know anything about these land deals? A.—Not these you are speaking of in Calgary. I have talked to Mr. Daley about the Baxter-Reid. He wired me to get ready to go down there.

Q.—When was this? A.—This was last spring along in April.

Q.—And did you go down? A.—No.

Q.—Do you know Mr. Taylor? A.—Yes, I have met Mr. Taylor this fall.

Q.—Any land dealings with him? A.—No. Mr. Taylor was the man who was handling this Baxter Reid property at that time, but I had not met him at that time.

Q.—How did you come in? A.—I worked for Mr. Daley off and on and we have been together on several deals and he would be unexpectedly called away and then he wanted me to go down to his place.

Q.—You were a sort of side kick, I see.

MR. EWING: A what?

MR. MACKAY: A side kick. You do not understand real estate expressions, I see. Did he mention any deal he wanted you to help carry through? A.—The Baxter Reid deal.

Q.—You know what a side kick means, don't you? A.—Well, I have an idea.

Q.—Were you Daley's side kicker? A.—I don't know as I was.

Q.—Did you go down? A.—No.

Q.—Under what arrangements were you to go down? A.—Well, he had made an arrangement previous to that. I had worked on Mr. Daley's ranch previous to that.

Q.—Where did Mr. Daley have a ranch? A.—Daysland.

Q.—What size? A.—Well, he had the Hill Ranch—about 500 head of cattle there, about 1,200 acres.

Q.—He did not own that, did he? A.—Well, he had possession of it.

Q.—Do you know whether it was rented or not? A.—No; he bought it.

Q.—And how were you mixed up with him, then? A.—I was working for him.

Q.—And just tell us, if there was any arrangement, what arrangement he made with you. I think I am wise to it. What arrangement did he make with you if he made any? A.—He phoned or wired me to come up here. He wired me from Lethbridge.

Q.—When was that? A.—That was, I don't know the exact date.

Q.—About when? A.—It was in April sometime.

Q.—And where were you to come? A.—I was to come up here to Edmonton.

Q.—Did you see him? A.—Yes.

Q.—What arrangements, if any, did you make? A.—He told me to be around that in case anything came up and he was to be away that I could go down in his place and look after his interests.

Q.—If any deal came up in connection with selling land and he was going away you could be in his place? A.—Yes.

Q.—Did he give you any names of people? A.—Mr. Taylor's address in Calgary.

Q.—Did he tell you of any negotiations in which anyone was interested? A.—He said they were bringing up these Mennonites to show them the place.

Q.—And how were you to share in the thing? A.—There wasn't much said how I was to share one way or another.

Q.—Well, what was said. A side kicker always comes in? A.—He told me about the circumstances and they were getting a commission out of it and I would get part of the commission.

Q.—Did he fix the amount of commission you were to get? A.—No.

Q.—You were a typical side kicker—yes. And did any deal go on that you got any commission out of? A.—No.

Q.—But the understanding was with reference to these people, the Mennonites, coming in and any deal going through, if he was away you were to go down and represent him and he would give you some of the commission for so doing? A.—Yes.

Q.—Is that your whole story? A.—Yes.

Q.—Did you hear the evidence here? A.—Yes.

Q.—Is there anything else you can tell me about how you figured in the transaction? A.—Well, that was about all the way I figured in it. I was to go down there in case he was called away; I was to go down and look after his interest.

Q.—And the part of the commission you were to get—was that fixed? A.—I was to get part of his part.

Q.—And what percentage of his part were you to get or was that fixed? A.—He said Scott could have part of it.

Q.—And Daley would have part? A.—Yes.

Q.—And you would get a part? A.—Yes.

Q.—But was there anybody else pieced up in it? A.—No.

Q.—And there were three of you? A.—Yes.

Q.—He did not refer to you as a high official in your business, did he? A.—No.

Q.—And you do not know what reference he might make to you down at Calgary, of course? A.—No.

Q.—Didn't you know that Daley was a Government employee? A.—Yes, sir.

Q.—Didn't you discuss with him the danger or otherwise of his taking the commission, or what was said about that? A.—There was nothing said about that to me.

Q.—Did you do anything—take any parties out for Daley in any way to see lands? A.—Yes, I took several different parties out.

Q.—When was this? A.—Previous to this—the year before.

Q.—Did you make any sales? A.—No.

Q.—No commissions? A.—No, there were no sales.

Q.—And how did you get paid for your trouble? A.—For taking them out?

Q.—Yes. A.—Well, I took them out to his ranch when he sold his ranch. I took two or three different parties out.

Q.—And was the ranch sold? A.—Yes, it was sold.

Q.—Did you get a piece of the commission there? A.—No, there were some parties sold it in Calgary.

Q.—You did not make the sale? A.—No.

Q.—Would you have an auto or rig taking these people out? A.—Well, Mr. Daley generally put up the expenses.

Q.—And you were to get a piece if you made the sale? A.—Yes.

Q.—Were you telling anybody that you were helping Daley or were you keeping that secret? A.—I don't know I told anybody. This was pretty well known around.

Q.—How do you mean? A.—Well, people who were connected with the ranch in any way knew.

Q.—So far as his own ranch was concerned, they would know? A.—Yes.

Q.—But when it came to the rest of this deal you were not publishing it to the world, were you? A.—No.

Q.—Did you tell anybody else? A.—No, except it was Mr. A. J. Hills?

Q.—Who was Mr. A. J. Hills? A.—He was the man we bought the ranch from in the first place, and we left the stock together.

Q.—And you are still in the cattle business, are you? A.—Yes.

Q.—You are not a real estate agent? A.—No.

Q.—And were you ever a Government employee of this Government? A.—No.

Q.—You are an ordinary cattle dealer? A.—Yes.

Q.—Making more money at that than working for the Government? A.—I don't know. I never worked for the Government.

Q.—How long have you known Daley? A.—Since 1905.

Q.—What I would like to know—I don't want to lead you. But you knew Daley was working for the Government? A.—Yes.

Q.—And I would like to know just how he acted and talked in that respect, whether he was trying to keep it hidden or not that he was making these deals and trying to get a commission? A.—He said he was trying to make some money, of course, but he did not want to take the time away from the Government and he ought to get away and he thought the Department would think he was taking up too much time with these fellows and he did not want them to feel that he was in any way—that is taking up the Government's time or selling land.

Q.—I see. Did you know that he had been talking to these Mennonites down there to get them to come up here? A.—When he 'phoned me he told me they were coming over.

Q.—And what about the Government knowing anything about this, about he was trying to get commissions? A.—Well, I don't think the Government knew anything about it.

Q.—What I am trying to get at is what he said to you with reference to that? A.—He said at one time that he did not want it published too much around that he was interested one way or another.

Q.—Did he say why? A.—Well, no, I don't know that he said why. He just told me he did not want it published around.

Q.—You understood the situation. You knew he was working for the Government? A.—Yes.

Q.—You knew he would have no right to take commissions didn't you? A.—I did not know whether he would or not.

Q.—You did not bother. And you had known him for several years? A.—Yes.

MR. EWING: How many acres has Mr. Daley got down there? A.—The ranch is sold.

Q.—What was it sold for—do you know? A.—Something like \$25 or \$26 an acre.

Q.—How many acres? A.—About 1,100 acres.

Q.—What was the value of the stock that was on it, roughly? A.—Well, there was about 500 head of cattle on it when he bought it.

Q.—And were they sold too? A.—No, he had sold most of the cattle off?

Q.—Did he have an auction sale? A.—No.

Q.—What became of the cattle and hogs and sheep and horses? A.—They were sold off from time to time in one way and another.

Q.—What value were they, approximately? What would you value the whole lot of the stock at? A.—The whole outfit?

Q.—Yes? A.—Well, it was valued at \$52,000 when he bought it.

Q.—When did he buy it? A.—1914.

Q.—And that is the land and the stock and the implements? A.—Yes.

Q.—And he sold 1,100 acres at \$25 an acre and in addition to that he had the stock and implements and so on? A.—Yes.

Q.—Can you give me an idea of the value of the stock and implements at the time he sold it? A.—Well, no, I do not know exactly. I was not there. I do not know just exactly.

Q.—Is that a pretty fair picture of it? (Produced). A.—Yes, that is a good picture of the ranch.

Q.—And is that Mr. R. J. Daley, the gentleman who is standing up at the corner there?
A.—Yes.

Q.—And did you ever see a sheet of which this is a copy? A.—No.

Q.—You never saw that? A.—No.

Q.—You did not work for Mr. Daley? You were not employed by Mr. Daley, were you?
A.—Yes.

Q.—You were in his employ? A.—Yes.

Q.—And he sent you down there to look after his interest in the commission—he arranged to send you down, at least? A.—Yes, he arranged to send me down.

Q.—Did you know how much he was to get? A.—He told me he would get fifty-fifty.

Q.—And did Mr. Daley ever talk to you about dividing this commission with anybody else?
A.—Well, this man Scott.

Q.—Well apart from Scott? A.—No.

Q.—If Mr. Daley spoke of a high official who was to get part of that commission, who would that be? A.—He never spoke of any high official.

Q.—It would not be you? A.—No.

MR. MACKAY: You speak of "Daley's" Ranch. Did you know there were ten or a dozen people owned that Ranch? A.—Well, he was the man who bought it.

Q.—Did you know there were ten or a dozen people interested? A.—He was forming a company or intended to form a company.

Q.—Did you know that Mr. Milner, President of the Grain Exchange, was one of the company? A.—Yes, I have heard him speak of Mr. Milner.

Q.—As a matter of fact you knew Daley came from Toronto and was merely a manager of the Rosenroll Ranch before that? A.—Yes.

Q.—And he formed a company, and Mr. Milner, President of the Grain Exchange, was one of them? And you did not know there were some fairly wealthy people in Toronto in the Company? A.—I did not know who was in the company. He said there were other people expected to be interested.

Q.—That is when he was forming it? A.—Yes.

Q.—And your evidence would indicate he was the owner of \$52,000 worth of property. You did not mean that? A.—Well, he bought it in the first place.

Q.—He had been manager of a ranch before that? A.—Yes.

Q.—And you tell me now, as you understood, he was agent and formed the company? A.—He was intending to form the company when he bought it.

Q.—You knew Milner, President of the Grain Exchange of Winnipeg, was one of the company? A.—He was interested in it, yes.

Q.—Did you know it was bought on time? A.—Yes, partly.

Q.—It was bought on time by the company that he was forming? A.—They bought it with the intention of forming the company?

Q.—And you did not know the details of that? A.—No.

Q.—You did not know there were several fairly wealthy Toronto people? A.—There was several people supposed to be interested, from the East.

Q.—And the only name you got was Mr. Milner's? A.—Yes.

Q.—As being one of the company? A.—Yes.

Q.—And you knew it was being bought on time? A.—Yes.

MR. EWING: It was commonly known as Daley's Ranch? A.—Yes, it is known there.

Q.—And was described in the advertisements? A.—Yes.

R. J. DALEY, recalled, further testified as follows:

MR. CHAIRMAN: You are under oath. A.—Mr. Connor stated in his evidence that behind a building at the Judson Farm I asked him what commission was in it and he said, "A dollar an acre," and I said "Nothing doing." I say that is not true and no foundation of truth. I did not talk to him behind a building or anything else nor did I make any statement of that nature.

MR. MACKAY: Did you tell him The Honourable Duncan Marshall was to receive a share of the commission? A.—I answer that, before Mr. Connor and before my Maker, I did not. I never mentioned Mr. Marshall's name to him or any other person about any commission or share in any commission and when he says that he tells a manufactured deliberate falsehood. That is my answer. I never mentioned Mr. Marshall's name or any other Government official. Connor stated in his evidence he told me in Lethbridge that he had sent a telegram to The Honourable Duncan Marshall and he was going to expose the matter about the commission. I answer that, it is not true; he did not tell me anything about a telegram or any other matter at Lethbridge. His statement relating to that is absolutely untrue. After I had been told that a message had been sent to the Department I tried to see him but he would never meet me and when I located him on the 'phone to get him to meet me he made an appointment and he did not meet me, he acted the sneak.

Q.—Did you have any conversation with him after this at his office at Calgary, about this or on any matter? A.—I did not. After I had learned he sent the wire I made several efforts to get an interview but he would not. Re the High River Farm. He said I told him seven dollars an acre commission could be got. Now I want to say to this, it is wholly untrue, absolutely untrue. I did not talk to him in any way about the commission on the High River Farm, did

not mention seven dollars or any other sum. He and Mr. Scott discussed something about commission. I had nothing to do with it.

Q.—Were you in Farleigh and Connor's office? A.—Was I there on March 22nd and 23rd? I was not at that time. Connor stated that I had the Watson-Knight lands to sell and was playing unfairly about the Judson place. My answer to that is it is not true; I did not have anything to do with the Watson and Knight lands. I was doing my very utmost to help sell the Judson land.

Q.—Were you playing fair with him on the fifty-fifty basis? A.—Yes, absolutely. Connor said that I enquired at their office if they had the Baxter Reid Ranch sold.

Q.—What do you say to that? A.—My answer is this is wholly made up and not a word of truth in it. I never mentioned the Baxter Reid Ranch to him in any manner, shape or form. Now I am saying this permanently because he has come here and absolutely told a false statement. I already had the Baxter Reid Ranch listed with Mr. Taylor and was acting honourably with Mr. Taylor and doing no business with anyone else in that regard. And in regard to the telegram that was mentioned here, the insinuation might have been or the reflection upon me that I might have known where that telegram came, and my answer to you, Mr. Chairman, and this Committee, is, I never saw the telegram, anything of it. My own understanding of it was it was a long distance 'phone, and if it was in the office or on the files it never was in my hands. I never saw it, so I cannot be blamed about that. But I do say this, that in regard to Mr. Connor's statement that I mentioned Mr. Marshall's name or any other official, that is not true, for I never did in the whole transaction. I had no cause to.

Q.—It has been given in evidence that you were to 'divvy up with Scott, and this last witness said you were to allow him something? A.—Yes; he was my man.

Q.—Well, wait a minute. You and Scott were to divvy up the commission in some way and Standefer was to get something for his trouble? A.—Yes.

Q.—Was anyone else to get something out of it? A.—No, sir.

MR. EWING: Was Mr. Gibson wrong when he said you mentioned Mr. Marshall's name in Connor's office? A.—I did not mention Mr. Marshall's name. I would have inferred that the Government, and he might have thought that Mr. Marshall being head of the Department—

Q.—Did you mention Mr. Marshall's name? A.—I do not remember mentioning it.

MR. MACKAY: Did you mention Marshall's name in connection with getting Mennonites over? A.—I don't remember using it. Maybe I did, but I don't remember using it.

MR. EWING: Is Mr. Gibson correct when he says you said you had to divide up with a higher official and therefore had to have higher commissions? A.—He misunderstood that, for I had no higher official.

MR. MACKAY: Did Mr. Marshall know anything about your truck and trade with these Mennonites at all? A.—Not one thing that I know of—absolutely, no.

Committee adjourns till Tuesday, March 11, 1919, at 10.30 a.m.

MARCH 11, 1919. COMMITTEE RESUMES AT 11 A.M.

H. A. CRAIG, recalled, further testified as follows:

MR. MACKAY: How long have you been Deputy Minister? A.—Since May, 1915.

Q.—Has anybody by the name of Maley been in the employ of your Department during that time? A.—No.

Q.—Do you know of his being in the employ of your Department before that time? A.—No.

Q.—The administration of what is known as "The Cow Bill" is under your Department? A.—Yes, sir.

MR. EWING: Do you know Mr. A. F. Maley? A.—Yes.

Q.—Has he acted in any capacity under the Cow Bill? A.—None whatever.

Q.—That is, he has never bought any cattle acting on behalf of the Government in any way, under the Cow Bill? A.—No, sir.

Q.—Has he acted for the Government in any capacity? A.—Not since I became Deputy Minister.

Q.—There is another point I want to ask you about. Did any of these Mennonite delegates interview the Government at Edmonton here, or any Department of the Government? A.—Yes.

Q.—What Department? A.—They were in my office.

Q.—They interviewed you, did they? A.—Yes.

Q.—Who were they? A.—I could not tell you their names; they were foreign names.

Q.—Would you know them if you heard them? A.—I doubt it.

Q.—You do not know whether Paul Wiff was one of the names? A.—No, I could not tell you at all.

Q.—What was the purpose of their interview? A.—I remember one question they asked me, if they would be free from military service if they came to settle in this country.

Q.—And what else did they want to know? A.—They wanted to find out about certain sections of Alberta as to its farming possibilities.

Q.—And you gave them the information, did you? A.—As far as I knew, yes.

Q.—Did they ask about any particular sections in Alberta? A.—Not that I remember of.

Q.—You discussed with them at some length the possibilities of Alberta as a field for settling immigration? A.—Not at any particular length.

Q.—Well, some time? A.—Yes; I suppose they were in for ten minutes.

Q.—Did they interview the Minister? A.—Not to my knowledge they did not.

Q.—Did they interview Mr. Hotchkiss? A.—Not as far as I know. It is possible that they did but I do not know about it.

Q.—Well, now, Mr. Craig, I want to call your attention—when did this interview take place? A.—It would be in April last.

Q.—April, 1918? A.—Yes.

Q.—Just shortly before they did actually locate here. What do you know about them? A.—Well, I saw by the paper that some of them did locate after that. That is the only knowledge I have of it.

Q.—I want to just read you a sentence from Monday's edition of the *Calgary Herald*, March 10, 1919. Do you know Mr. Scott? A.—I have met him—yes.

Q.—Where did you meet him? A.—When he was here with the Mennonites.

Q.—He was with the delegates at the time they were in your office? A.—Yes.

Q.—Scott said that a year ago he wrote the Department of Agriculture of Alberta. He would not say that the letter was addressed to Duncan Marshall, but he would say that it was addressed to the Department of Agriculture, asking about information for Mennonites in the States with whom he had done business for many years. As a result of this letter R. J. Daley later called on him, saying that he represented the Alberta Government. Where is that letter? A.—I never saw it.

Q.—You never saw it? A.—No.

Q.—Who would it come to in the ordinary course of business if it were addressed to the Minister of Agriculture? A.—If it were a matter of publicity it would go direct to Mr. Hotchkiss.

Q.—But it would come in the first instance to whom?

MR. MACKAY: Who would open the letter?

MR. EWING: Who would deal with the letter in the first instance? A.—If it were addressed to whom?

Q.—To the Minister of Agriculture. A.—I expect the Minister's secretary would open it.

Q.—And then it would be distributed according to the Department that had to do with that business? A.—Yes.

Q.—And ultimately it would go on file? A.—Yes.

Q.—That is, every letter concerning public business that comes into your office goes upon some file or other? A.—Yes.

Q.—You will remember the other day there was reference made to a telegram which came in but which has disappeared—which cannot be found? A.—It cannot be found.

Q.—Mr. Scott did write a letter in connection with the same business, and that has not been produced, although we asked Mr. Daley to produce all correspondence in this connection. Now can you give any explanation or what have you to say about that? A.—I didn't know you asked for that letter.

Q.—I asked for all correspondence that had to do with the Mennonites coming into Alberta. A.—I did not know you had asked for the correspondence, until now.

MR. MACKAY: You asked Daley for it.

MR. EWING: I asked Daley to produce it.

Q.—Will you produce that letter? A.—If I can find it. I would like some information about the time it was received and so on.

Q.—You see what it says (referring to newspaper): "Scott said that about a year ago 'he wrote the Department of Agriculture of Alberta. He would not say that the letter was addressed to Duncan Marshall, but he would say that it was addressed to the Minister of Agriculture, asking for information about the Mennonites in the States with whom he had done 'business for many years.' The date, of course, is not a material matter. Would that letter be replied to in the ordinary course? A.—In the ordinary course of events, yes.

Q.—I thought that when I asked the Publicity Commissioner for correspondence that he had access to the entire Department and that he would bring all the correspondence in that Department that had to do with that business. That is what we want to get. He came in here with a lot of correspondence that, in my opinion at least, had nothing to do with it and nobody brought any correspondence that had to do with it. Now, will you get that? A.—I shall try.

Q.—You understand, I am not wanting alone those two letters. I want all the correspondence that has to do with the Mennonites coming into Canada? A.—Yes.

Q.—Has your Department bought any cattle from Maley? A.—Well, you see, our Department—

Q.—I mean anyone acting under your Department, purchasers under the Cow Bill, for example? A.—You will realize that our Department do not buy any of these cattle. They simply pass upon buying them—the buying by men who get loans under the Cow Bill.

Q.—I understand that. Some officer of your Department passes upon the cattle bought under the Cow Bill? A.—Yes.

Q.—Would you have any record if that officer had passed upon any cattle bought by Mr. A. F. Maley? A.—Yes.

Q.—Would you have that record? A.—Yes.

Q.—Do you know as a matter of fact whether he did? A.—Yes, it has been done.

Q.—Have many cattle been bought from Mr. Maley under the provisions of the Cow Bill?

A.—I could not tell you about how many. I would say it would be some considerable number.

Q.—He has been doing quite a bit of business of that kind? A.—Not recently.

Q.—But at one time he did? A.—Yes.

Q.—What made the change? A.—Why, Mr. Stevens, the Livestock Commissioner, brought me a report at one time to the effect that this man was in possession of powers of attorney from certain people, certain farmers who had loans under the Cow Bill. Mr. Maley was buying these animals at a certain price, according to the Livestock Commissioner, and asking to have them passed at a considerable advance, and I told Mr. Stevens to refuse to honour any more powers of attorney from Mr. Maley, no matter what the circumstances.

Q.—What about asking to have them at a considerable advance? A.—Mr. Maley would purchase animals at a certain price, according to the Livestock Commissioner. He would ask, then, to have these animals passed at a considerable advance over the price which he paid, according to the Livestock Commissioner.

Q.—That is, those that were sold to the purchasers under the Cow Bill? A.—Yes.

Q.—And was there any proposal about any division of the advance? A.—Certainly not, as far as I know.

Q.—I mean Mr. Stevens did not say anything about that? A.—No.

Q.—That was not a charge that was laid against him? A.—No; it was simply a matter, I considered the advance was too great and they were better doing business for themselves.

Q.—Mr. Maley was acting as a middleman between men who had cattle to sell and purchasers under the Cow Bill? A.—Yes, sir.

Q.—And making, as you thought, too large a profit? A.—Yes, sir.

MR. McCALLUM: He would not be acting as a middleman if he was agent for the purchaser? A.—I presume he could not be called a middleman in that regard.

MR. WEIR: The only term would be "a grafter" wouldn't it? You cut him out at once? A.—I told Mr. Stevens not to honour any more powers of attorney.

MR. EWING: You do not know whether he was a Government employee to your knowledge? A.—I am satisfied he was not. But I can only speak with authority of the time I have had control of the Orders-in-Council.

Q.—You do not know whether he was ever a Federal Government employee? A.—No, I do not know.

Q.—While Mr. Maley was doing business, can you tell me whether any large proportion of the cattle were bought through Mr. Maley? A.—Oh, not any large proportion. It would be a very small proportion.

Q.—But still a very large business was done with him for the while he was at it? A.—I would not like to say definitely just what the volume of business was, but it was not considerable in proportion to the total amount of business done. It was very inconsiderable.

MR. MACKAY: In the first place, was Maley a cattleman, or do you know him as a cattle dealer? A.—I know he had dealt in cattle—yes.

Q.—Is what you are saying this, he would take a power of attorney from certain farmers to sell their cattle for so much—is that what you understood? A.—No; to buy for them.

Q.—And then he wanted the price increased? A.—No.

Q.—What was the increase, then? Explain that again. I did not get you. I thought that was the other way round. A.—Mr. Maley had a power of attorney from the men, principally in the north and the Peace River district, to purchase cattle for them under the Cow Bill. I am not sure that his instructions were that these cattle were to be turned over at the price he purchased; that is the instructions the men gave him in the purchasing of cattle. I am not sure that he had to necessarily turn them over at the price which he purchased at.

Q.—Well, where was the raise? Where was the increase you are speaking of? A.—I remember one instance in particular that will perhaps serve as an illustration. I might perhaps be out a dollar or two, but I am very close to it.

Q.—Well? A.—In which an animal was bought by Mr. Maley in Edmonton for \$94 or \$96, according to Mr. Stevens' report to me. Mr. Maley asked to have this animal passed, the same day, for \$127.

Q.—Asked to have it passed how? A.—By our inspector.

Q.—And then you cut him out? A.—I did not consider he was working in the interests of the people for whom he had the powers of attorney.

Q.—In other words, it means this, he wanted to buy at a certain price and sell to the farmers, who were getting the cattle under the Cow Bill, at more than you thought he ought to get? A.—Yes, sir.

Q.—And you cut him out altogether? A.—Yes, sir.

MR. EWING: He was acting both as agent for the people who were buying and agent for the people selling? That is, he would go and buy the cattle and turn them over to the purchaser at a price having been passed by your inspector—at a great increase in price? A.—As far as we are concerned he seemed to be both vendor and purchaser.

MR. WEIR: How did you get the impression that Maley was a cattle man? A.—I had heard from certain people he had lived among previously that he had been a cattle shipper. I believe it was at Didsbury, either Didsbury or Carstairs, though I think Didsbury.

Q.—You did not know anything of him, as a matter of fact, did you? A.—Nothing in particular.

Q.—Do you know whether Mr. Stevens knew anything of him or not? A.—Oh, I don't know.

Q.—I agree you did the proper thing. But what I want to get at is this—I did not know Maley as a cattle man. I knew him as a real estate dealer who was in trouble with the law in Calgary, and I knew him as more or less of a political heeler and how he came to be in a position—I wonder Mr. Stevens did not know he was the sort of man he was dealing with and I think you did the proper thing to have the farmers deal with the Department in this matter. I just know him as a political heeler, a grafter, and I cannot understand why he should be in such a position. A.—You will understand it is a very difficult matter when a man holds powers of attorney to prevent him.

MR. MACKAY: He went to the purchasers and got powers of attorney.

MR. WEIR: The Department is absolutely clear, in my opinion, but that there should be anyone permitted to act as a go-between between these poor farmers for whom this Bill was originated and the Department, is a thing I do not understand.

MR. MACKAY: If a man lives in Peace River and sends someone down to buy cattle, you are not going to take a club and stop them? That is all that was being done.

MR. WEIR: I would, if I knew it was Maley.

MR. MACKAY: I think you said you never saw that letter of Scott's? A.—Yes, sir.

Q.—You just make a search, yourself, on that file it ought to be on, and see if it is there! This is an unsworn statement of Scott's, of course. It is an interview in the Calgary "Herald" given with reference to this investigation. We want you to search and see if there is a letter.

JOSEPH A. J. BOULANGER, called and sworn, testified as follows:

MR. MACKAY: In November, towards the end of November, 1916, you were in the employment of the Department of Municipal Affairs? A.—Yes, sir.

Q.—What position were you in? A.—Private secretary to Mr. Gariepy, the Minister of Municipal Affairs.

Q.—Do you know Mr. Lussier? A.—I do.

Q.—Do you remember anything about—do you remember when he came into the employ of the Department—do you remember exactly—in 1916? A.—I do remember when he came in.

Q.—Do you remember the occasion of his coming in? A.—No.

Q.—Well, you do not understand my question. You may not give the exact date, but do you remember him coming? A.—Oh, yes, I do that.

Q.—This cheque here he says was the first cheque he received as pay in the employ of the Department, a cheque dated November 29th? A.—Yes.

Q.—You see that cheque for \$95? (Produced.) A.—Yes.

Q.—It purports to have been endorsed by E. C. Lussier and J. A. Boulanger. Is that your endorsement? A.—It is.

Q.—Did you have possession of that cheque? A.—I did.

Q.—Tell me how and why and all about your getting that cheque. A.—Well, sometime before that, it may be a few days or it may be a week, Mr. Lussier was in Mr. Gariepy's office. Mr. Gariepy came out and asked me if I had \$100 to give to Mr. Lussier. I looked in my pocket, and said, "Yes". He says: "You will give him \$100 and you will get his cheque at the end of the month." A few minutes later, maybe ten minutes later, Lussier came into my office and I gave him \$100.

Q.—Yes? A.—And then, when pay-day came along, I told, as far as I remember, I told Mr. Logan, the Chief Clerk, to send Lussier's cheque into my office. The cheque did come in. When the cheque came in I sent for Mr. Lussier as far as I remember and Lussier came to the office and I told him I had this cheque and to endorse it. I looked at the cheque; it was only \$95. And he endorsed the cheque and paid me \$5.00 then.

Q.—Is there any truth in the statement that you took this cheque—got it in some way—and asked him to endorse it, and told him, in substance, that the first month's pay the clerks did not get? Is there any truth in that? A.—No, not at all.

Q.—Did anything of that kind occur? A.—Never.

Q.—What is your business now? A.—I am a barrister.

Q.—Practising in this city? A.—No, practising in Morinville.

MR. DAVIS: What is the date of the cheque? A.—November 29, 1916.

MR. EWING: When did you become secretary of the Minister? A.—Sometime in June, 1916.

Q.—Is that when you first came to the province? A.—No.

Q.—Had you been practising law prior to that in the province? A.—Well, I was not practising law. I was in a law office.

Q.—Where were you? A.—Gariepy, Dunlop and Pratt.

Q.—You were in his law office? A.—I did not start to practice, I did not go into the office immediately, of course, coming from the east.

Q.—How long had you been in Mr. Gariepy's office before June, 1916? A.—Oh, sometime in the fall of 1915, October.

Q.—Then you came down here as Mr. Gariepy's private secretary? A.—I did.

Q.—And you continued to act as his private secretary for how long? A.—Till September, 1917—the first September.

Q.—How long had you known Mr. Lussier? A.—Before that?

Q.—Yes. A.—Might have been a month—not very long, I would not say, but not very long before.

Q.—About a month? Had you had frequent conversations with him? A.—Before that?

Q.—Yes. A.—Not many.

Q.—He came frequently to your office, did he not? A.—Well, I would not say frequently.

Q.—Did he frequently come to the office of the Minister? A.—Well, I would not say that.

Q.—Well, what would you say? A.—That he did come, but not frequently.

Q.—You say he came but not frequently? A.—Yes, that is as far as I know, you know.

Q.—Well, I am not asking you for anything you do not know. I am asking you if he came, do you remember any occasion at all of his coming to your office prior to this? A.—Well, I do not believe Mr. Lussier came to see me. He had to pass through my office to go to see Mr. Gariepy.

Q.—Had you any conversations with him other than asking if Mr. Gariepy was in? Did you talk with him? A.—I would not say yes or I would not say no.

Q.—That is, you haven't any memory in connection with it? A.—No; I might have but I do not remember.

Q.—You remember this particular day when Mr. Gariepy spoke to you about the money? A.—Oh, yes.

Q.—Have you been in the habit of keeping money around there? Do you ordinarily carry \$100 on the person? A.—I do.

Q.—This was in cash? A.—Yes.

Q.—Tell us what Mr. Gariepy said to you? A.—He simply asked me if I had \$100 on me and I said "Yes." I cannot say the exact words. He asked me if I had \$100 in my pocket and I said "Yes," and he asked me to advance it to Mr. Lussier on his salary.

Q.—You had the \$100 in your pocket, had you? A.—Yes, sir.

Q.—And you paid it over to him? A.—Yes, sir.

Q.—Did Mr. Gariepy return to his office? A.—Oh, yes. Mr. Gariepy asked me and went back to the office and it was only a few minutes later that Lussier came out.

Q.—And Mr. Gariepy was not there when you paid over the \$100? A.—No, I have no recollection.

Q.—There was no one present but yourself and Mr. Lussier? A.—Exactly.

Q.—And did you take a receipt from Mr. Lussier? A.—I did not.

Q.—Did you understand you were loaning him this money? A.—Well, loan—I do not know whether you would call it a loan. Mr. Gariepy asked me to do it and I did it; that is all.

Q.—You were advancing your own money? A.—Yes.

Q.—It was nobody else's money? A.—Nobody else's money; my own money.

Q.—And you were alone there—you and Mr. Lussier? A.—Yes, sir.

Q.—And you paid him over the money? A.—Yes, sir.

Q.—Bills of what denomination? A.—I do not know.

Q.—Haven't you any recollection? A.—No, not what denomination—no.

Q.—Was it a roll or was it a small amount? A.—It might have been tens and fives.

Q.—It might have been anything, but what was it? A.—There was no dollars. I know it was not a big bunch. I know I did not carry \$100 in one hundred dollar bills.

Q.—You did not take any receipt from him? A.—None.

Q.—He was almost a total stranger to you? A.—Yes; but Mr. Gariepy had spoken about him quite often.

Q.—What did he tell you about Mr. Lussier? A.—That he had known him in the east, he was a class mate of his.

Q.—A very fine man? A.—He did not speak of his qualities.

Q.—Now, he spoke to you often. What did he say? A.—He spoke of him as a class mate.

Q.—As often as he spoke about him he spoke of him as a class mate. Is that what you say? A.—Yes, and he knew him in the east.

Q.—And he told you that several times? A.—I would not say several times, but he did sometimes.

Q.—And that is all he told you? A.—Well, all he told me, yes; in substance.

Q.—And yet you loaned \$100 in cash to Mr. Lussier? A.—I did not lend him; I advanced him \$100, which is—

Q.—You draw a distinction. What distinction do you draw? A.—Well, it was under Mr. Gariepy's order and I kept Mr. Gariepy responsible for it.

Q.—You were looking to Mr. Gariepy for it? A.—If I had not been paid in some way.

Q.—But what evidence had you to show Mr. Gariepy you had advanced the money to Mr. Lussier? A.—Oh, I had no evidence at all. I suppose he would take my word for it.

Q.—Now, in your duties as private secretary to the Minister, I suppose your duties were largely confined to the building here, were they? A.—I would not say that.

Q.—What would you say, then? A.—Well, I did not take the private secretary to have any very definite position or definite work to do in the buildings.

Q.—You did not take it with any definite work to do? A.—Not exactly; routine work or correspondence and things, first.

Q.—And then outside of that, what? A.—Well, outside of that I would help the Minister in whatever he would ask me, for the Department or——

Q.—That was your understanding of the duties at the time you entered? A.—Yes, sir. Well, I understood it myself. I did not have it explained by anybody.

Q.—But that is what you understood? A.—Yes, sir, and I do yet.

Q.—Now, I am speaking in fact now, not what you understood. But during that time you were private secretary, was your time spent in the buildings here almost wholly? A.—Almost wholly—no, I would not say that.

Q.—Where was it spent when you were not in the buildings when you were carrying out your duties? You understand what I mean? A.—Well, I do and I do not. I don't know where it was spent.

Q.—Did you accompany the Minister on his trips? A.—I did sometimes.

Q.—Throughout the province? A.—Sometimes, yes.

Q.—And on trips outside the province? A.—No.

Q.—Just throughout the province? A.—Yes.

Q.—What particular parts of the province did you accompany the Minister on his trips to?

A.—Accompanied the Minister around town and in Beaver River.

Q.—Anywhere else? A.—I do not believe I have.

Q.—So that your trips with the Minister were confined to Beaver River? A.—Yes.

Q.—Did you make many trips with the Minister to Beaver River? A.—I do not remember; three or four, I suppose.

Q.—Did you make any trips to Beaver River without the Minister? A.—Yes.

Q.—How many did you make without the Minister? A.—I remember of two.

Q.—What were those two? Take the first one. A.—The first one was for seed grain.

Q.—You went out to see about seed grain? A.—Yes.

Q.—What were you going to see about the seed grain? A.—Well, in that part of the country there was a frost the previous year and there was a shortage of seed grain. And I called, I would not say meetings, but I saw as many people as possible, and I told them they could have seed grain. There was a man sent by the Department of Agriculture, if I understood it well, at the time, and he was trying to supply them—telling them that he was coming up, and helping that man to get grain, also.

Q.—You confined your work on that occasion to Beaver River, did you? A.—I guess I did.

Q.—And was there a representative of the Department of Agriculture up there also? A.—Yes.

Q.—And what were you doing? A.—Well, I told you that I was trying to tell the people that there was a man.

Q.—You were helping them out? A.—Yes, and helping the representatives from the Department of Agriculture.

Q.—Did you only help him in this constituency? A.—I think I did.

Q.—What date was that trip, do you remember? A.—It must be some time in—well, I would not be so sure, but some time in the spring of 1917.

Q.—About what time in the spring? A.—I think it was March, I would not say—some time in the spring of 1917.

Q.—Was there snow on the ground still? A.—Yes, but we were both sleighing and wheeling, as far as I remember.

Q.—How did you go from here to Beaver River? A.—Well, I guess I took a train from Edmonton to Vegreville, and it was a car from Vegreville to Brosseau.

Q.—Would it be about April 16, 1917? A.—About April the 16th—I would not be sure—so sure, Mr. Ewing.

Q.—When did you make your second trip? A.—I remember making another trip with Mr. Stevens, calling institute meetings, I think.

Q.—When was that? A.—That was in the winter; that was either December, 1916, or January, 1917—somewhere around December or January.

Q.—It was before this trip of which you have spoken? A.—I think so.

Q.—Well, are you sure about it? A.—Yes, I am.

Q.—Was that the only two trips you went to Mr. Garipey's constituency alone? A.—No.

Q.—When was another time? You thought only two, at first. A.—Well, I thought of two. I was sure about two. I was there in May, 1917, yes.

Q.—Did you go out in April, 1917, on April 16th, 1917, or about there? A.—I might.

Q.—Well, did you? A.—Well, I do not remember.

Q.—Do you remember getting an advance of \$300 for expenses? A.—Yes, I do remember that.

Q.—Was that the time you went out to Beaver River, the last time? A.—I had more than one advance; I would not be so sure.

Q.—More than one advance around that amount? A.—I think I did have more than one. I had two, I think.

Q.—What were the amounts? A.—\$300.

Q.—And what was the other one? A.—\$300.

Q.—Was that all the travelling expenses, 1917? A.—I do not remember what I did get in travelling expenses. My vouchers are there.

Q.—You for \$412 in 1917, travelling expenses? A.—Might have been; I do not know.

Q.—Where was that all spent? A.—I do not know. The vouchers are there, as far as that goes, you know.

Q.—Wasn't it all spent between here and Beaver River and in Beaver River? A.—Might have.

Q.—Have you no recollection on the subject? A.—If I went anywhere else?

Q.—Yes? A.—I remember going out around the city here and to St. Albert and Morinville. I do not remember exactly, but the most part of it was in Beaver River—yes.

Q.—Do you remember going out there with Mr. Lussier? A.—I do.

Q.—What date was that? A.—I would not be sure of the date, but some time in May.

Q.—Of what year? A.—1917.

Q.—What were you going out for at that time? A.—I was going out to see a gentleman by the name of Leonce Langevin. I think it is in May—yes. I was going out there, and Mr. Gariepy sent me. I don't know whether it was an order—a request of Mr. Gariepy to go out there, I would not call it an order, and asked him if he would be the Returning Officer for Beaver River.

Q.—You went out to see if he would be Returning Officer for Beaver River? A.—To see if he would accept it—yes.

Q.—Could not that have been accomplished by letter, don't you think? A.—I do not know.

Q.—You did not take any responsibility in that direction? You were just told by the Minister to go and see if a certain gentleman would accept the position for Beaver River? A.—Yes.

Q.—And was that the time you accepted the \$300 advance? A.—I did not take any notice when I was drawing.

Q.—How long were you out at that time? A.—I was nearly a month, I guess.

Q.—Well, it did not take you a month to find out whether Mr. Langevin would accept the office of Returning Officer, did it? A.—It did not take me long at all.

Q.—When you started out, did you intend to be gone a month? A.—No, I did not.

Q.—How long did you intend to be gone? A.—I did not know how long I would be gone.

Q.—Did you draw any advance moneys? A.—I do not remember whether I did or not. I may have.

Q.—You do not remember whether you started out with \$300? A.—No, I do not remember how much I had.

Q.—Did you go via Tofield? A.—I did.

Q.—Who was with you? A.—Mr. Lussier.

Q.—Anyone else? A.—No.

Q.—You were going out to electioneer, weren't you? A.—Mr. Gariepy asked me to and see if Langevin would be Returning Officer, and I did. And I came back to Doucette and then the election took place and I did not go back until after the election.

MR. MACKAY: That's the way to talk. What is the use of having a man act as private secretary if he does not help the Minister to do what he wants to do?

MR. WEIR: And he is a fool if he does not do it on Government money, too.

MR. EWING: You came back to Doucette and there you heard that an election was called—announced, did you? A.—I don't know where I was when the writs were issued, but I was somewhere around there.

Q.—Somewhere around there? A.—Yes, sir.

Q.—What you told us was, when you came back to Doucette you heard about the election being announced? A.—I told you I went to Mr. Langevin and then I came back to Doucette. I remember being there and I don't know but I might have gone somewhere else. But I think I was at Doucette when the writs were issued.

Q.—I am talking about your knowledge of the election. Did you know an election was in progress before you went? A.—I did know there was a prospect of an election.

Q.—In fact you took a bunch of literature with you, didn't you, in the car? A.—Well, a bunch of literature, yes, I had things in the car, I could explain what they were. I do not know whether you would call them election literature, but they were synopsis of what was done in the last Session, that is, in 1913.

MR. MACKAY: Synopsis of the Bills passed? A.—Yes, and I had some Bills in French and English.

Q.—What Bills? A.—I had the Cow Bill, I know.

Q.—You mean Bills passed by the Legislature? A.—Yes, and I had a number of them, and I had some photographs of the Ministers.

MR. WEIR: Yes? A.—Yes. Well, I would not call them photographs—pictures. Well, pictures or photographs, I would not say.

MR. CAMPBELL: Complimentary pictures?

MR. EWING: Whose did you have? A.—The Honourable Mr. Sifton's and Honourable Mr. Stewart and Mr. Mitchell's and Mr. Gariepy's.

Q.—Mr. Boyle's? A.—No, I do not remember seeing Mr. Boyle's.

MR. CAMPBELL: Did you have Mr. MacKay's?

MR. MACKAY: No, not guilty. The rest would not have had any show if he had mine.

MR. WEIR: He would not have won the election.

MR. EWING: You had notices of the meetings and all the necessary paraphernalia for properly carrying on the campaign? A.—I think I had.

Q.—And you were up there until the day after the election? A.—I was there a few days after the election.

Q.—What did you do on election day? A.—I had a poll.

Q.—What poll did you have there? A.—North of Brosseau; I do not remember what you call that poll, now.

Q.—And between the time that you arrived there—between the time you came back to Doucette and the election day—you devoted your time to election purposes? A.—Only for that, you mean?

Q.—Yes, only for that? A.—Well, I do not know.

Q.—What else did you do? A.—Well, I was there really to help the Returning Officer to understand his duties, and I did that.

Q.—Yes, and what else did you do? A.—Well, there is something peculiar I might explain.

Q.—No doubt there was.

MR. MACKAY: Tell us all. Tell us all. It will all come out. Go on. A.—I was at Doucette with the Returning Officer. He was a new man at the matter and he did not understand the law, or at least I thought I understood more than he did, and I explained to him; I was trying to explain to him how it worked.

MR. EWING: How what worked? A.—What the Returning Officer's duties were.

MR. WEIR: How it should work? A.—No, how it worked.

MR. EWING: What were his duties as you explained them? A.—Well, I do not remember. I was explaining the Act and telling him what to do at the Polls, and the Deputy Returning Officers, and so on.

Q.—You explained the Voters' Lists, too? A.—Well, the Enumerator was doing that as far as I understand.

Q.—Did you meet the Enumerator out there? A.—I met some, yes. Let me finish this, and then you will go at whatever you like. Now, I was working there and I had no intention of campaigning as I did. But the first thing I done, I heard a telephone or I caught a telephone from—Mr. Mackie 'phoned up to Mr. Woodley asking him to wire to one fellow by the name of Trudell, he was a fire ranger, to go in Beaver River and work; also asked him if a fellow by the name of Govreau was there; he was also a fire ranger; and to tell Govreau to get to work and I also caught the telephone stating that he, Mackie, and a gentleman by the name of Prince—Antoine Prince—were fixing a number of meetings. Mackie and Prince were going to start by the north and come down by the south of the constituency and—no, Prince and Ambrose Grey were going to start by the north and come in by the south, and Mackie and Dr. Langier were going to start—

Q.—You heard all this over the 'phone, did you? A.—Yes, sir. And I decided we were going to see a fight, and if these fellows were going to fight I was going to fight.

Q.—And you were going to fight? A.—And I did.

Q.—You started in to fight, did you? A.—I did.

Q.—Was it after you saw the Enumerators? A.—I didn't say I saw the Enumerators. I say I must have met some Enumerators.

Q.—Did you have any discussion with the Enumerators? A.—On what point?

Q.—On the point of the work that they were doing? A.—Oh, no.

Q.—Never mentioned that to them at all? A.—What do you mean by that?

Q.—I mean, have you had any discussion with the Enumerators as to the method in which they should do their work? A.—Not at all.

Q.—You were solely instructing the Returning Officer as far as giving instructions were concerned? A.—I was giving no instructions to the Returning Officer and I never said that, either.

Q.—What did you say? A.—When he was stuck on something I would explain the law the way I understood it. I was not doubling the Returning Officer.

Q.—You were not doubling him? A.—No.

MR. MACKAY: "Duplicating" him is a better word? A.—Well, likely.

MR. EWING: Who was the Returning Officer? A.—Mr. Langevin.

Q.—You said you started in to work. What work did you do? A.—I stumped a part of the district and followed Mr. Prince and Mr. Mackie and Mr. Longie, whenever I could catch them on a platform and Mr. Jack Greene—wherever they were.

Q.—You spoke at a meeting practically every night, did you not? A.—I would not say every night, but every night they called a meeting I knew I did.

Q.—And you spoke at every meeting? A.—That I could reach.

Q.—And you spoke on behalf of Mr. Gariepy? A.—I did.

Q.—And during the day did you do private canvassing? A.—No, not private canvassing.

Q.—Did you do canvassing of any kind during the day? A.—Oh, no canvassing; I did not do any canvassing.

Q.—Did you speak to anybody about election matters during the day? A.—Oh, yes, yes.

Q.—And what do you call this talk you had with them, if it was not canvassing? A.—Well, that is just it. If you call that canvassing, I did. I was electioneering.

Q.—And you did everything you could to induce the electors to vote for Mr. Garipey?
A.—Absolutely.

Q.—Who else was up there in the employ of this Government doing the same work? A.—I do not know.

Q.—Did you see any Government employees up there during the month or so that you spent up there? A.—Yes.

Q.—Whom did you see? A.—I saw Mr. Dechene.

Q.—What was he doing? A.—I do not know.

Q.—Oh, well, give us some idea. A.—Well, I won't give you any idea. I am going to speak of the facts.

MR. MACKAY: I am going to call Dechene as the next witness.

MR. EWING: You are going to speak of what? A.—Facts, that is all.

Q.—That is what I want you to speak of. Did you have any conversation with Dechene there? A.—I do not remember; I most probably did.

Q.—You do not recall any conversation? A.—I do not recall any, but I most probably did speak to Dechene.

Q.—Do you remember meeting him at all? Do you remember seeing him? A.—Yes.

Q.—What was he doing? A.—He did not seem to be doing anything.

Q.—Did you enquire what he was doing up there? A.—No.

Q.—You made no enquiry. You have no idea what purpose he was there for? A.—I won't speak of ideas.

Q.—I want you to speak of it now.

MR. MACKAY: What did you understand he was doing, if you had an understanding?
A.—I do not know what he was doing there at all.

MR. EWING: Did you understand he was up there on Departmental business? A.—I would not say that, either.

Q.—Would you say you understood he was up there on election business? A.—Well, understand, it is very hard to say. That is a question I cannot really answer. He maybe was electioneering for all I know, but I did not see him doing it.

Q.—You do not know of him doing any electioneering work? A.—Oh, yes I do. Yes I do, I beg your pardon.

Q.—I want you to tell us. A.—Well, I am trying to do the best I can.

Q.—Go ahead. A.—I remember Dechene speaking at a meeting at Doucette where I was present—yes.

Q.—Who else was present at the meeting? I mean, who took part in the meeting? A.—Mr. Mackie and Dr. Langlier on one side and Dechene and I on the other.

Q.—Who else was present at any meetings that you were at in the constituency who were employees of this Government? A.—None.

Q.—What is that? A.—None.

Q.—Did not see any others at any meeting? A.—Employees of the Federal Government—quite a number.

Q.—I am speaking of the Provincial. Tell us all you like about the Federal. I said of this Government? A.—No.

Q.—You can tell us all you like about the employees of the Federal Government. A.—Oh, I have got nothing to say against the employees of the other.

Q.—Did you ever see Mr. Lussier at a meeting? A.—No.

Q.—Did you ever see Mr. Chapman at a meeting? A.—No.

Q.—Did you ever see Mr. Chapman up there at all? A.—Yes.

Q.—What was he doing up there? A.—When I met him he was going to Edmonton—coming to Edmonton.

Q.—When was that? A.—During the campaign; I do not remember when.

Q.—At what stage of the campaign? A.—I could not say, Mr. Ewing. It was during the campaign.

Q.—Did you see him up in the constituency? A.—Yes, at Doucette.

Q.—What was he doing at Doucette? A.—He was going over—Doucette is four miles from St. Paul de Metis, and he was just passing through.

Q.—Did you have any conversation with him? A.—Yes.

Q.—Anything in that conversation which gave you an idea of what he was doing? A.—Well, none at all. He was coming back, that is all he told me; his wife was very ill and he was telling me about that.

Q.—He did not tell you what he had been doing? A.—No.

Q.—Did he mention the fact that an election was in progress? A.—I would not say that. It was during a campaign and I daresay if he had not, I might have spoken to him about it.

Q.—You remember Mr. Chapman was up there doing the same kind of work you were doing. You knew that? A.—No, I did not.

Q.—Didn't you? A.—I did not know, no.

Q.—What kind of work did you think Mr. Chapman was doing up there in the heat of an election? A.—Didn't know.

Q.—Hadn't any idea? A.—Would not say that.

MR. MACKAY: Did you know he was Official Reeve of the district? A.—Yes.

Q.—And they were making an onslaught and lying about what he was doing there? It will come out.

MR. EWING: Yes, it will come out; I trust so.

Q.—You hadn't any conversation with Mr. Chapman about the election, then? A.—I may have; I don't remember that.

Q.—Did Mr. Chapman tell you he was Official Reeve of the district up there? A.—Oh, yes, I knew that he had been there nearly six or seven months as Official Reeve.

Q.—And you do not know whether he was up there doing his business as Official Reeve or not? A.—No, I do not know.

Q.—You do not know anything about that? A.—No.

Q.—What other employees of this Government did you see up there? A.—I met Mr. Whiston, I believe.

Q.—What was Mr. Whiston doing? A.—He was passing through, going to Edmonton also, when I saw him.

Q.—Was that near the close of the campaign? A.—I would not be able to say that.

Q.—You had no conversation with Mr. Whiston, had you? A.—I spoke to him; I do not know what we spoke about.

Q.—Did you know what work Mr. Whiston was doing? A.—I do not.

Q.—Did you make an enquiry? A.—No.

Q.—You did not make any enquiry? A.—No.

Q.—And you do not know whether he was assisting in the work you were carrying on or not? A.—Assisting?

Q.—Yes; you knew the work you were doing? A.—Yes, I knew the work I was doing.

Q.—Was he assisting in the same kind of work? A.—I do not really catch that. I do not know what you mean by assisting—assisting me, or what?

MR. MACKAY: Was he assisting you? A.—No, he was not.

MR. EWING: Was he assisting in the work which you were doing, to your knowledge? Not assisting you; you were only an assistant yourself, you see? A.—Yes.

Q.—Was he assisting in the same work? A.—I do not know.

Q.—You do not know anything about it? A.—No, I do not know.

Q.—Who else did you see up there? A.—That is all.

Q.—That was all? A.—Mr. Gariepy, of course.

Q.—Yes, Mr. Gariepy was up there. What Poll do you say you were at on election day? A.—I do not remember the name. It is a few miles north from the village of Brosseau. It is not a village but a few houses there were there.

Q.—You do not remember the name? A.—No.

Q.—What was your capacity? A.—Agent or representative.

Q.—You had an agent's authority from Mr. Gariepy, had you? A.—I guess I had, I don't know.

Q.—You do not remember that? A.—I must have had.

Q.—Were you inside—were you doing inside work? A.—Inside and outside.

Q.—You were doing both inside and outside? A.—The candidate, Mr. Grey, was with me, and we never squabbled over that.

Q.—You and Mr. Grey were together? A.—Yes, we were opposing. He was representing himself.

Q.—And you were representing the same Poll? A.—We were.

Q.—When did you return to Edmonton? A.—I returned three or four days later as far as I remember—four or five days.

Q.—With whom did you come back? A.—Came back alone.

Q.—You had a car out there, did you? A.—Yes.

Q.—Whose car was that? A.—The Government's—Department of Municipal Affairs.

Q.—Is that the car you started out with Mr. Lussier in? A.—It was, sir.

MR. MACKAY: Find out about that grip.

MR. EWING: And the bottle of wine, I think.

MR. MACKAY: Yes, both. We found the bottle of wine was spent.

MR. EWING: You used that car throughout the election, did you? A.—Oh, yes, some time

Q.—You got your gasoline out there, did you? A.—Yes.

Q.—Where? A.—Couldn't say exactly where; but wherever it was needed.

Q.—You put that in your voucher along with your other expenses, did you? A.—I did, sir.

Q.—Then there was another car. How many cars were out in that election belonging to the Government here? A.—I know of one, that is the one I had.

Q.—Do you know of any others? A.—No.

Q.—Did you see any other cars that you knew to be Government cars out there? A.—I would not be able to know them, anyway.

Q.—You would not know them. I see. Had Mr. Chapman a car out there? A.—I do not remember; he might have had.

Q.—Had Mr. Dechene a car? A.—I do not remember. No, I do not think he had. I do not remember.

Q.—How did they go out there, do you know? How did they go from Edmonton there?
A.—I do not know.

Q.—You do not know anything about that. I see. And when you came in you put in your vouchers in the regular way for your expenses on the trip? A.—Yes, sir.

Q.—And were they paid? A.—Yes, sir.

Q.—Did you ever have any of your vouchers for expenses refused? A.—Never.

Q.—You never had. What were your expenses on that trip? Can you give me any idea?
A.—I do not know at all. The vouchers are there.

Q.—The vouchers are not here. Just give me an idea what your total expenses were? A.—I would not be able to say that, not offhand.

Q.—Well, you can give us some idea? A.—Well, if I was thirty days, you know——

Q.—They would be considerable? A.—They probably would.

Q.—You were about thirty days, weren't you? A.—I think so.

Q.—Well, tell us about what they would be? A.—I could not say.

Q.—Well, give us an idea? A.—I might be off the track altogether.

MR. MACKAY: Oh well, you had better send for the vouchers. They will speak for themselves. The vouchers are there and they are the best proof. It is not evidence. You know that. When a document can be produced evidence of the document should not be given. The document speaks for itself. You know that.

MR. EWING: Yes, I know that. I am not asking this witness to give the contents of any document.

MR. MACKAY: Are you testing his recollection?

MR. EWING: Yes, I am testing his recollection.

MR. MACKAY: Well, that is right.

A.—If I was there thirty days, it might be between \$200 and \$300—nearer \$300 than \$200, I think. That is just memory.

Q.—I know you are not purporting to tell us exactly. Would that include your automobile expenses? A.—It would.

Q.—You went out, you told us, in January. That is prior to this? A.—Yes.

Q.—And what were you doing out there on that occasion? A.—As I told you, there were meetings given by Mr. Stevens, the Live Stock Commissioner on agriculture, and live stock especially, and he would speak in English and I would kind of translate it in French to the people.

Q.—Did you do any political work on that occasion? A.—No.

Q.—Never mentioned anything in connection with politics out there? A.—Oh, I would not say that; I would not say that.

Q.—What did you do? A.—I do not recollect of doing anything.

Q.—But you would not like to deny that is what you would do? A.—If I met a man who was speaking politics I would generally indulge with him in it.

Q.—You would take it up with him? A.—Yes.

Q.—On January the 6th you got an advance of \$100. What would that be for? Can you tell us? A.—No, I cannot. I can't say that, you understand.

Q.—No, I do not understand. A.—The advances were made for future expenses. That is all I could say.

Q.—And if you got \$100 on January 6th you do not know how that would be spent or in what connection? A.—Could not say off-hand—no. I would not remember, anyway.

Q.—Were you out on any trips after April until August? A.—If I made—

Q.—Have you made any trips throughout the country on public business after you came in after the election in June, until August? A.—I do not remember.

Q.—You cannot recall that at all? A.—No.

Q.—You see your expenses from April to August were \$352.35. That would include your expenses up in the constituency throughout the election, would it? A.—From April to——

Q.—From April 6th to August 1st? A.—Well, it would of course. The election was in June.

Q.—In November, 1916, did you carry a bank account? A.—I did.

Q.—Where? A.—In the Standard Bank.

Q.—Edmonton? A.—Yes.

Q.—You made deposits in that account from time to time, did you? A.—Yes.

Q.—And what was your ordinary custom of meeting your ordinary expenditure? By cheques or by payment in cash? A.—Well, I had no rule. I had no rule to that effect at all.

Q.—You had no rule? A.—No.

Q.—If you were making a payment of \$100 you would have no rule, whether you would pay it in cash or by cheque? A.—I did not have anything to pay—no hundred dollars at a time, very often, in general expenses.

Q.—But you always carried in cash an amount. You usually carried an amount in excess of \$100? A.—Oh, yes, quite.

Q.—And would it be larger amounts than that that you would cheque out—that you would use your deposit for? A.—I would not have a rule. I may have given cheques for \$10 and I may have paid bills of \$100 and over without a cheque. I had no rule. It was just a matter of impulse. I had no rule.

Q.—Just as the spirit moved you? A.—Yes, exactly, if that is what you call it.

Q.—And when you wanted to pay—I mean, tell me.—I want you to tell me this? A.—Go on?

Q.—When you say you were advancing \$100 at the request of Mr. Gariepy to Mr. Lussier, had you \$100 to your credit in the Standard Bank at that time? A.—I would not say that. I know I had more than \$100 in my pocket. I had at least \$100 in my pocket.

Q.—But I am asking if you had more than \$100 to your credit at that time? A.—At the Standard Bank?

Q.—Yes? A.—I would not say that; I do not know. I do not know that I had and I do not know that I had not.

Q.—Mr. Boulanger, tell me this. When you were requested to advance \$100 to Mr. Lussier, by Mr. Gariepy, why didn't you give him a cheque so you would have some voucher to show you had advanced him the money? Could you tell me that? A.—I could not tell you that at all, not at all.

Q.—You cannot give any reason? A.—Oh, I have no reasons at all. It never struck me. Mr. Gariepy asked me, "Have you got \$100 on you?" It was not a cheque he wanted at all—if you come to argue the affair.

Q.—Mr. Gariepy did not want you to give him a cheque? A.—Oh, no, he did not say that. He said, "Have you got \$100 on you?" He never asked for a cheque. I suppose he never thought about it and I did not think about it, either. When he is asking for \$100 you are not expecting to give him a cheque.

Q.—A cheque, if it is honoured, is as good as \$100. How much money did you give him—\$100? A.—\$100.

Q.—And do you say Mr. Lussier paid you back \$5.00 in addition to the cheque? A.—Yes, sir.

Q.—You remember that distinctly? A.—Oh, yes, I do.

Q.—How did he pay you? A.—He gave me a \$5.00 bill.

Q.—There is no record of that transaction at all, is there? A.—Well, I have none. That is my endorsement. I know I got one cheque from him. That is my signature (referring to cheque produced.)

Q.—There is no doubt about that. And beyond that there is no record of this transaction of any kind? A.—I have none.

Q.—How long was it before this that you say this took place? A.—Well, it may be a few days. I do not remember exactly; it may be a few days, but it may be a week.

Q.—Did Mr. Lussier say when he would pay it back to you? A.—Mr. Gariepy told me I would get his cheque; it would be paid by his cheque.

Q.—Did Mr. Lussier say anything to you at all? A.—No; I just gave him \$100. He did not speak about the cheque at all.

Q.—You cashed this cheque personally? A.—I think it passed with the bank, by the stamp, but I do not remember. It is passed with the Standard Bank. I do not remember whether it was deposited or cashed.

Q.—You have no recollection of it, have you? A.—Of the cheque?

Q.—Of what you did with the cheque? A.—Oh, no, I have no recollection.

Q.—You remember getting it, don't you? A.—Oh, yes, I remember getting it all right.

Q.—By the way, did you ever loan any money to anyone else on Mr. Gariepy's suggestion? A.—No.

Q.—This was the only loan you ever made on Mr. Gariepy's suggestion? A.—Yes.

Q.—Were you in the habit of loaning money to people? A.—Well, loaning money to people—well, I do not run an agency.

Q.—No? A.—But I did occasionally.

Q.—You did occasionally make loans? A.—I did.

Q.—To how many people did you make loans about that time? Recall to me anyone to whom you made a loan about that time? A.—About that time—I would not say that.

Q.—Well, anywhere near that time? A.—Well, even near that time, I would not say because of my different friends, you know.

Q.—I am not asking what you might do. I am asking what you did. Never mind telling me what you might do at all, because I am not interested. A.—Well, you look interested.

Q.—Well, I am interested in some things, Mr. Boulanger? A.—You will understand yourself—you are asking me if three years ago I have loaned some money to different people. If you ask me "Did such a man ask you for such a loan?" I might say "Yes." I do not know; I do not recollect that. I am not in the habit of loaning, but I did loan money to different people, as anybody would.

Q.—To whom did you loan money? That is what I am asking? A.—Well, I remember loaning money to—well, about that time, I won't say about that time—any time since three years?

Q.—While you were secretary to Mr. Gariepy? A.—I did loan Mr. Clement some money.

Q.—Who is he? A.—He was an employee of the Department. I do not know where he is now.

Q.—How much did you loan him? A.—I think it was \$20.

Q.—You loaned him that in cash, too, did you? A.—Oh, yes, at least I think—oh, yes.

Q.—Do you recall the transaction? It was in cash, was it? A.—Oh, yes, it was in cash.

Q.—Anyone else that you made loans to? A.—I think I loaned some to Mr. Dechene on different occasions.

Q.—Those were all cash loans, were they? A.—Oh, yes—well, I would not say that. But I do not recollect giving a cheque; but I might have.

Q.—This might have been by cheque that you loaned to Dechene? A.—Well, I would not say that, but it might have been. I do not believe it was, you know. But as a common occurrence it was not, but it may have been.

Q.—Did you ever loan \$100 to anybody in cash since you came to the Province of Alberta? A.—Oh, yes.

Q.—Did you? A.—Oh, yes.

Q.—To whom did you loan \$100 or more? A.—Dr. Simard.

Q.—Where does he live? A.—He is overseas now. Well, he is back. I do not know where he is now. He is somewhere in Quebec.

A.—You made him a cash loan, did you? A.—Oh, yes.

Q.—You advanced that money by cash, did you? A.—Well, I would not—I have advanced him so many times. I think I gave him some cheques also.

Q.—Did you ever give him or anyone else \$100 or more in cash at any one time? A.—I think I did give him once \$150 in cash.

Q.—Was that while you were employed in the Department? A.—If it was not it was near the time when I came into the Department.

MR. MACKAY: I suppose civil servants and their friends can borrow money from one another, and do occasionally, the same as the rest of us? A.—Yes, sure.

Q.—And where did you keep your bank account? A.—At the Standard Bank.

Q.—Now look at that (referring to cheque). It appears to be deposited at the Standard Bank? A.—It appears that way—yes.

Q.—You say your bank account was at the Standard? A.—Well, if it did not go through it was cashed there, anyway, that is a certainty.

Q.—At your own bank? A.—Yes.

Q.—There is nothing under cover about it—apparently cashed in your own bank? A.—Yes, it was cashed or deposited in the Standard Bank.

Q.—And that is the bank where you kept your account? A.—Yes, sir.

Q.—You were telling me something about a telephone to Trudell. Who is Trudell? A.—He was a fire ranger for the Dominion Government.

Q.—Who is Govreau? A.—He is a fire ranger for the Dominion Government.

Q.—Any more of those fellows up there you saw? A.—Yes, I met a fellow by the name of Prince; he is a fire ranger.

Q.—He is the man who went with the Conservative candidate—Gray? A.—Yes.

Q.—You held meetings? A.—Yes.

Q.—Who else did you see up there from the Dominion Government taking a hand at it? I want to find out what kind of a battle you had, you know? A.—I saw Mr. Briere, of White Fish Lake.

Q.—Who is he? A.—As far as I understood his duties he was in some way connected with the Department of Public Works at Ottawa.

Q.—Were these fellows doing election work? A.—They were running around and peddling literature and—

Q.—And were they all busy in the election? A.—Oh, yes, absolutely.

Q.—Any others you saw up there? I want to see if the battle was even; that is all? I want to see if you had a square deal? Who else was up there? A.—We saw that we did get a square deal.

MR. WEIR: Were they up there on Government advances? A.—Not that I know.

Q.—Well, that is what I want to know. That is what I want to get at.

MR. MACKAY: Who else did you see there? A.—I saw the Land Inspector. But I do not remember his name?

Q.—Do you know Moody? A.—Oh, yes, Moody was there.

Q.—Who is Moody? A.—He is a Fishery Inspector.

Q.—For the Dominion Government? A.—Yes.

Q.—Do you know R. Camm? A.—No.

Q.—Walker? A.—No.

Q.—Moore? A.—No, I do not know him, either.

Q.—Could you tell the men who were from the outside from the local men? A.—Well, these particular fellows I knew, you know. I knew them. Prince is from Edmonton. Govreau is from St. Paul.

Q.—And what you say is you just pitched right in at election work; there is no doubt about that—at election time? A.—No.

Q.—Which of you fellows won out? Who was elected? A.—Mr. Gariepy.

MR. WEIR: He could not help but be.

MR. MACKAY: For what?

MR. WEIR: For various reasons you know better than I do.

MR. MACKAY: I do not.

MR. WEIR: You do.

MR. MACKAY: I do not, and if it is an insinuation it is not called for.

MR. WEIR: You said it would all come out; let it come out.

MR. MACKAY: Well, bring out anything you know better than I do! You make a statement, I know, and I do not, and I do not take a false statement of that kind without contradicting it.

MR. WEIR: You know just as much about it as anybody.

MR. MACKAY: I do not know anything more about it than you do.

THE CHAIRMAN: Order—let me call order, or I will adjourn this Committee.

MR. WEIR: Adjourn it whenever you feel like it; it makes no difference to me.

THE CHAIRMAN: Order.

MR. MACKAY: I do not know that I have to sit here and take an insinuation—to tell me I know all about it and I do not suppose I know anything more about it than Mr. Ewing does.

MR. WEIR: You said it would all come out?

MR. MACKAY: You keep quiet and it will all come out. It cannot if you keep going.

MR. WEIR: Well, there is nobody going to put anything over on me.

MR. MACKAY: Who was Mr. Mackie? What was he? A.—He is the member for Edmonton East.

Q.—In the Federal Government? A.—Yes; he was the candidate then.

MR. WEIR: Did you know when you were leaving Edmonton that you were going up there on an election campaign? A.—I did not know when I left Edmonton that there was an election in prospect.

Q.—And when you drew this advance money did you or did you not know that money was going to be spent in election campaign purposes? A.—No.

Q.—The only interest I have in this— A.—Just a minute; you have to make that clear.

Q.—I will make it as clear as you want it. A.—Put the question again.

Q.—I am trying to get at the fact that as an employee of this Government you were going up there to take part in an election campaign, and I am not blaming you—you were under the instructions of your Minister? A.—No, I had no instructions from the Minister to jump into the campaign. I jumped in by myself.

Q.—Without instructions? A.—Without instructions from the Minister.

Q.—And when you drew this advance of expense money to go up there to an election campaign you knew that was what you were going to spend the money for? A.—Not for an election.

Q.—What were you drawing this advance money for? A.—My expenses while I was out of town.

Q.—For what? A.—Living expenses.

Q.—On what duty? A.—Well, on what duty—I was asked by Mr. Gariepy to go to Beaver River.

Q.—To do what? A.—To see Mr. Langevin and ask if he would be Returning Officer.

Q.—Do you mean to tell this Committee that you drew an advance of over \$300 to take a trip up to see Mr. Langevin, that would be a two or three days' trip? A.—There was nothing mentioned when I would come back.

Q.—No, no. But Mr. Gariepy sent you out to do a specific duty, which ought in the ordinary course of events to take two or three days. Is that right? A.—Yes.

Q.—Then you drew \$200 or \$300? A.—I might have. Suppose I did? I don't know.

Q.—It is admitted you did. Did you draw that for the purpose only of going to see Mr. Langevin? A.—I drew \$300 as an advance for the payment of my expenses, and we have to render an account of any advance we have.

Q.—I know that, but I want to get at this. You drew \$300 and the only purpose you have assigned us so far is you were going up to see Mr. Langevin. I am not interested in the political skulldruggery or anything of that sort between these two parties and I think you have made out a fair case in that way. I am interested only in this public money. Is that true or not that you drew this \$300 for the purpose of working at an election campaign? A.—I did spend \$300, not for election purposes, but for my own living expenses.

Q.—While you were engaged in election duty? A.—During a campaign.

Q.—While you were engaged in an election duty for the Minister and not for the public service? You understand my differentiation? A.—You must understand I was a private secretary.

Q.—Yes, but you were paid by this province. A.—I did not believe I was a civil servant the way you understand it.

Q.—What I am getting at is this—the public's money was spent by you for purely election purposes to elect the Minister and not for the public service in the routine of your office? A.—Well, Mr. Weir, I was private secretary to Mr. Gariepy.

Q.—I know you were? A.—Just a minute. I am answering your question. I was private secretary to Mr. Gariepy and I was not a civil servant in the way you understand it. I was a kind of a freelance. I could help the Minister in any way.

Q.—You were under the Minister's instructions, quite true. A.—Yes, and I could do anything.

Q.—Well, more specifically than an ordinary civil servant would be? A.—Yes, absolutely. I think I was as free as anybody else who was not paid by the Government.

MR. CAMPBELL: Who paid your wages? A.—The Government.

MR. WEIR: And besides that you got expense money? A.—I did.

Q.—And you spent that expense money in electioneering and election work, and not in the public service. You got paid, in the Public Service, your wages? A.—Yes, and my expenses.

Q.—And the expense money you spent up there was spent specifically for election purposes? A.—No, they were spent for my living expenses, that is all, during the campaign. You won't get me out of that.

Q.—I don't want to get you out of that. The further you get into it the better I like it. A.—I mean I won't get out of that.

Q.—I don't want to get you out? A.—Are you trying to put me in?

Q.—No; I am not interested at all in your political squabbles. What I want to get at is this, you spent \$300 or some such sum on your living expenses? A.—Yes.

Q.—While you were engaged in partizan or political work for your Minister? Now that ought to be susceptible to an answer if you want to give it to me? A.—I was paid \$300 during the election campaign in which I took part? That is all right.

Q.—Did you do anything else except see Mr. Langevin? A.—My duty was to write letters in connection with anything I would see and I wrote some letters for Mr. Gariepy.

Q.—But your wages would cover that? A.—You mean I was living in Edmonton and if I was to work anywhere else I was to be paid expenses. I could not run two houses——

Q.—Was there any work you did up there you could have done here? A.—Well, he could not dictate letters if he was in Edmonton.

Q.—I know, he could not dictate letters to you in Doucette; he was not a clairvoyant. You have not told us a single thing you did in the interest of the public except seeing Mr. Langevin and your expenses run into something like \$300 and that money was spent on your expenses to pay you while you were engaged on election work? A.—I told you it was for living expenses.

MR. EWING: What was your salary? A.—\$125 a month, \$1,500 a year.

MR. MACKAY: You were making some explanation to Mr. Weir when he tried to stop you. You said you were Mr. Gariepy's private secretary? A.—Yes.

Q.—As private secretary did you do any work up there? A.—Yes.

Q.—What did you do? A.—I wrote letters for Mr. Gariepy. And what else did I do? I guess there was something in the Act that he did not have time to study and I studied it for him—I don't remember.

Q.—You were looking into the law. I suppose you would do that if you were in the office here? A.—Yes.

Q.—It is a very common thing to look up law bearing on any particular point? A.—Yes.

Q.—And you did that there? A.—Yes; that was one of my duties here, too.

Q.—Part of the duties you were doing there, too, would be the duties you would be doing here if he was here. And you went with the Minister whose secretary you were? A.—Yes.

MR. WEIR: You went up with the Minister and you were clearing up some point of law?

MR. MACKAY: I did not say he went up with me.

MR. WEIR: You went up there and did work for him which you would naturally do if you were here in Edmonton? A.—Yes.

Q.—How long was he up there with you? A.—Must have been a week, anyway.

Q.—You were together for a week, sharing expenses and that sort of thing? A.—Sharing expenses?

Q.—You were travelling together and in his company? A.—Yes, I was in his company.

Q.—For a week? A.—Well, I say a week; well, it is not all in one lump.

Q.—And you were asked if you were not doing work up there which you would do here in Edmonton? A.—Yes.

Q.—Were you doing any work up there that could not be done here in Edmonton? A.—As far as——

Q.—In the natural course of events that could not be done here in Edmonton? What I want to get at is why would you go up there and spend \$300 if you could do this work here? A.—I answered that.

Q.—No, you did not. A.—If the Minister had been in Edmonton I could have done that work. But with the Minister in Beaver River and I in Edmonton I could not have done that work.

Q.—If the Minister had been in Quebec and he had to have some work done would you have gone there? A.—Well, if he was in Quebec—work has been done, but it is not always an absolute necessity to do the work.

Q.—Well, that is what I want to get at? You tell us about these telephones you got. This is a Government telephone system in this province? A.—Yes.

Q.—It belongs to the Public of this province? A.—Yes.

Q.—I suppose you would not like to tell the Committee how you got those messages? A.—Yes, I will tell you. I simply took the receiver off and put it to my ear and listened to the conversations.

Q.—They were not given to you by any third party? A.—No.

Q.—By any agent of the Government? A.—No, it is a toll line from Edmonton to Vegreville and all the places down to Brosseau and to Lafonde and St. Paul de Metis and Denisville and a bunch of places there—just on the one line—and you hear all the rings.

Q.—And any time you want to get the other fellow's game you just butt in? A.—Well, not in the game. But I did it and would do it again.

MR. CAMPBELL: It is an honourable thing. A.—No, I would not say that. But I would do the same thing again in politics. I would do the same thing again.

Committee adjourns till Thursday morning, March 13th, 1919, at 10 o'clock.

THURSDAY, MARCH 13th, 1919.—COMMITTEE RESUMES AT 10.30.

WILLIAM JOHN WEBSTER, called and sworn, testified as follows:

MR. EWING: You are the Government Vendor at Edmonton? A.—I am.

Q.—How long have you been in that position? A.—Since the first July, 1916.

Q.—Since the Act came into force? A.—Yes.

Q.—You are the only vendor that has been employed at Edmonton? A.—Well, until Mr. Douglas was appointed Vendor.

Q.—What is Mr. Douglas' position? A.—Chief Liquor Vendor.

Q.—Do you still conduct the office? A.—Yes.

Q.—What documents have you brought there? A.—Those are sales up to February 8th, 1918.

Q.—Have you got any of the later ones? A.—No, but I can get them.

Q.—That is your counter book? A.—Those are the counter books at that time (indicating). When Mr. Forster left I started in to use these.

Q.—Those are not used in the regular work by your office now, are they? A.—Those are.

Q.—Well, this is just a book of forms? A.—Oh, yes, they are both used, too—that kind of a book.

Q.—But I am speaking of these particular books. You are not using these now? A.—Oh, no, not these particular books.

Q.—Well, they can be left under the jurisdiction of the Chairman for re-examination? A.—We use those kind of books in sending down a report to the Department. Those are duplicates.

Q.—But those are the old ones there? A.—Yes.

MR. BOYLE: You cannot put those records in now?

MR. EWING: Why?

MR. BOYLE: Because they are records of the store.

MR. EWING: But I think the Chairman can take charge of them for the purpose of this Committee?

MR. BOYLE: Oh, yes.

MR. EWING: You took charge of this business on the first July, 1916, didn't you? A.—Yes, sir.

Q.—Did you rent the premises in which you have since been carrying on the business? A.—No, I do not rent them.

Q.—I mean you did not do any of the negotiations? A.—Nothing at all.

Q.—Who did that? A.—I don't know.

Q.—You were just told to go in there? A.—Mr. Forster just told me to go in and occupy these premises.

Q.—Did you fit them up? A.—I put in a wooden partition, maybe a couple of doors, in.

Q.—In, how? Explain just how? A.—Well, I put a partition across the length of the building and a door here and a door here (indicating).

Q.—What was that for? A.—To go into the place where the liquor was kept. This was a small office at the front and this was a small place here for people to come in with their applications. (Indicating.)

Q.—And behind the partition was the place where the liquors were kept? A.—Yes.

Q.—That is, the public had not access to the place where the liquors were kept? A.—Not unless they went through this door.

Q.—They did not go through that door? Did you permit people to go through the door? A.—Oh, no.

Q.—And nobody went in behind that partition but the officials of your Department? A.—I have given orders that no one went in, but I could not say whether anyone went in or not.

Q.—Did you see anybody go in? A.—Yes, I did; the express man.

Q.—He would go in taking in liquor? A.—No, taking out liquors.

Q.—He would have to do that, I suppose, unless someone else took it out for him? A.—Yes.

Q.—And no one but the carriers and the express man? A.—No one, only those who had any right, went in to my knowledge.

Q.—Who had a right to go in to your knowledge? A.—No one, except the expressman and the man in the employ. There was only one man at that time—Mr. Munroe.

Q.—And nobody went in but the expressman and Mr. Munroe and yourself? A.—Mr. Forster used to go in.

Q.—And the officers of the Department? A.—Yes, of course.

Q.—Now, we are quite sure about that, then, that no one either had access or went in there excepting the officers of the Department and the carriers—those necessarily engaged in the work?

A.—That is as far as I was concerned. Mr. Forster had some rooms fitted up behind to hold confiscated goods and the stock that was being taken in and there were a number of carpenters there working in the place.

Q.—Of course the carpenters would be there while they were fitting up the place? A.—Yes, they were there on several occasions.

Q.—But I am saying outside of the carpenters who were doing the work and the men employed by the Department, no one was admitted in there? A.—Not with my consent.

Q.—Well, did anyone go in without your consent? A.—I don't know. I cannot answer that.

Q.—Had you a counter there? A.—No. I had a desk there.

Q.—And no one—you spoke of having a partition with two doors in? A.—Yes.

Q.—What were the two doors for? A.—One door was to take out the goods and the other door was to allow me to go in there or allow Mr. Munroe to go out.

Q.—Couldn't you have done that with one door? A.—Not very well, simply because we kept the one door closed all the time so that people could not see in what was there.

Q.—You did not want people to see what was behind? A.—I did not.

Q.—And the place was fitted up as you considered was reasonably proper for the conduct of the business? A.—I don't think it.

Q.—Oh! In what way was it not? A.—I will tell you. There should have been a counter there.

Q.—Why didn't you have a counter? A.—I do not know. Mr. Forster was in charge. I requested him to.

Q.—And what did he say? A.—He said he would get one and he never got it.

Q.—Did you ask him for it a second time? A.—Yes.

Q.—And what did he say? A.—He repeated the same statement. He asked me, the second time I spoke to him, to see if I could find a counter somewhere, and I went over to Green-shields and looked at some old counters there and reported to Mr. Forster.

Q.—And he did not do anything, eh? A.—No.

Q.—Is any liquor kept in this outer place? A.—Which do you mean—the outer place—the rear or the front part?

Q.—The front part? A.—Yes.

Q.—What liquors are kept there? A.—There is a few bottles of liquor there that we want to dispose of.

MR. BOYLE: Are you talking of this store as it was or the store as it is now?

MR. EWING: I am asking about the store as it was fitted up to do business on the first July, 1916.

MR. BOYLE: We want that clear.

MR. EWING: It is clear.

MR. BOYLE: You were asking him now, is there liquor in this part. As I understand it, the store is not now in the same position as it was.

MR. EWING: We will come to any changes. I am speaking of the store as it was up to the time the change was made. A.—All right.

Q.—Was any liquor kept in the outer place? A.—Kept in the rear of this partition.

Q.—The stores of liquor? A.—Yes, the storage of liquor.

Q.—What liquor was kept in the front place? A.—None.

Q.—No liquor was kept there at all? A.—No liquor and no bottles.

Q.—No bottles of any kind? A.—No.

Q.—And no one had access to any bottles of liquor? No one who entered the store had access to bottles of liquor? A.—No, they had not.

Q.—And in your opinion, apart from the counter, the store was reasonably properly arranged to carry on the business which you were carrying on? A.—Well, it was arranged. It was not satisfactory to me, the arrangement that was there, but I had no control over it.

Q.—Who had control over it? A.—Mr. Forster.

Q.—And you made representations to Mr. Forster to have it changed? A.—Yes.

Q.—And Mr. Forster— A.—Omitted to do it.

Q.—Neglected to do so, yes. Now how did you get your—well, perhaps we had better clear up this point. What changes were made in the store? A.—I reported to the Attorney General the condition of the store.

Q.—Who was the Attorney General? A.—Mr. Boyle. And he came down there one morning and he said—I told him that it would be necessary to have some changes made and he came down there and said that he would send up Mr. Charlesworth, I think. Mr. Charlesworth came up and between he and I we decided to have a counter put in—a partition put across and the same doors that were in before placed at about the same points.

Q.—That is when Mr. Boyle was present? A.—Yes, The Honourable Mr. Boyle.

Q.—If anyone says that they found people other than the employees wandering about the place when you yourself were present and that these people had access to bottles of liquor when they cared to avail themselves of it, what would you say to that? A.—I would say while I was there there wasn't anything of that kind done. There may have been a case or two where a physician, a doctor, went in there to select some kind of special wine or special liquor.

Q.—Oh, no, but people other than employees wandering about the place and having access to bottles of liquor if they cared to avail themselves? A.—No, no.

Q.—While you were present? A.—No, that did not happen while I was present except in the cases I have spoken of, of a physician coming in and asking for a certain kind of wine or something of that kind, and they simply came in there.

Q.—Were you in there when the Honourable The Attorney General was in there? A.—That is Mr. Boyle?

Q.—Yes? A.—Yes, I was there.

Q.—Was anybody wandering about at that time? A.—I don't know as there was. There was Mr. Forster, if my memory is right; Mr. Forster had one or two men in with him at the time.

Q.—I am not speaking of Mr. Forster's men or employees of the Department. I am speaking of people who were not employees of the Department—people other than employees wandering about the place? A.—Mr. Thompson was there.

Q.—Who was he? A.—He was a school teacher. He was there. He was keeping some of the records at that time.

Q.—What records? A.—Those books.

Q.—In the employ of the Department? A.—I don't know whether he was in the employ of the Department or not. He was sent there.

MR. BOYLE: Yes, he was employed.

MR. EWING: Well, I am not speaking of him. You think, then, that any statement of that kind would not be correct? A.—I do not think it would.

Q.—It was not even correct of the day the Attorney General was there, there were no people wandering about the place having access to bottles? A.—There was no wandering around at all. Men that came there would only come for to get liquors or come to take express away.

Q.—Quite so. And in any case they would not have access to the bottles because there were no bottles in the front of the place? A.—Not in the front—no.

Q.—And anyone wandering around would not be in the back place except employees of the Department? A.—Well, they could come in the back with Mr. Forster. He had the keys of the back door.

Q.—Unless Mr. Forster brought them in? A.—Yes.

Q.—I mention that because I notice in a letter sent by the Minister and addressed to Mr. Forster, Chief License Inspector, November 4th, he says as follows, in part:

MR. BOYLE: Read the whole letter.

(Read by Mr. Ewing):

"Edmonton, Alberta,
"November 4, 1918.

"F. G. Forster, Esq.,
"Chief License Inspector,
"Edmonton.

"Dear Sir:

"I was surprised to find the condition of the vendor's store at Edmonton when I visited it Saturday afternoon. You must be aware that the arrangements there are not such as should be in existence in connection with any properly conducted store. There are no proper counters or office facilities for the vendor and his staff to perform their duties and keep the accounts of the office. Besides that, the arrangement is such that there is apparently no way of shutting the public out of that portion of the store where the supplies of liquor are kept. I found people other than employees wandering about the place when I was there, and you yourself were present. These people had access to bottles of liquor if they cared to avail themselves of it, and I am surprised that you have not had this store arranged in a proper manner for conducting business, as you appear to have either the authority or have assumed all the authority up to the present for the conduct of the two vendor's stores.

"I have asked the Auditor this morning to make a complete audit of your books and check the stock. I have also asked the Deputy Minister of Public Works to at once put in carpenters and establish proper office facilities in the front of that store and to make arrangements so that the public may be shut out from having access to the supply of liquor.

"You are directed to furnish to the Deputy Attorney General at once a statement of all liquor which you have purchased for the vendors' stores and now on hand, either at the stores or elsewhere; also a full statement of the liquor that is now on order and full particulars as to who this liquor has been purchased from and prices of same as well as conditions of purchase.

"In future no orders will be given for liquor until the same have been presented to the Deputy Attorney General and approved by him.

"I have the honour to be, Sir,

"Your obedient servant,
"Attorney General."

Q.—What have you to say to the allegation contained in this letter that the public had access to the liquor? A.—Well, I don't know. I can only repeat what I said before—if Mr. Forster had men or allowed men to come in behind.

Q.—I am not speaking of any men Mr. Forster took in at all. I am speaking of the public. A.—The public had no access to it, unless they went in there, as I said before, a doctor.

Q.—I am speaking of the public A.—No; the public had no access to it.

Q.—When Mr. Forster was directed to make arrangements so the public might be shut out from having access to the supply of liquor, that was not necessary? A.—Well, I thought it was necessary to have a change.

Q.—I am not asking that. I am asking if it was necessary to make arrangements so the public may be shut out from having access to the supply of liquor? A.—Well, I believed it was necessary or else I would not have spoken to Mr. Boyle about it.

Q.—Believed what was necessary? A.—To have a partition across and counters put in.

Q.—That was as you put them in originally? A.—Oh, no, to have that changed and counters.

Q.—I am not speaking about counters. I am speaking of the public having access to the supply of liquor. A.—The public did not have access to it except those men that were legitimate, except a few cases where I am telling you of, where physicians went in to look at it.

Q.—Went in at the back? A.—Went in with me—yes.

Q.—Did any druggists go in with you? A.—There may have on two or three occasions.

Q.—Now, I want you to recall two or three occasions that druggists went in with you? A.—I don't know as I could name the druggists who did go in. They would go in through this door when I would be here and in several cases I asked them to remove to the front.

Q.—You asked them to move out? A.—Yes.

Q.—Whom did you ask to move out? A.—I think Mr. Smith was one.

Q.—Who is he? A.—He is a druggist.

Q.—In Edmonton here? A.—Yes.

Q.—What drug store does he run? A.—I think it is on 101st Street he is on.

Q.—You could not place him? A.—No. I can by looking through these records.

Q.—What other druggists were in behind there? A.—Well, I cannot remember.

Q.—Can you remember any? A.—No, I don't know as I can, not any in particular. There may have been some other druggists gone in but I cannot remember it to speak of it.

Q.—You have no recollection of other druggists? A.—No, I cannot. But they were only there when I was there—anybody like that.

Q.—Now, then, coming to the liquors. How did you get your first stock of liquors? A.—Well, Mr. Forster gave them to me.

Q.—Generally speaking, what had you to do with the liquors that came into your store? A.—I sold them—Oh, doctors?

Q.—But what had you to do with their coming in? A.—Nothing whatever.

Q.—Did you prescribe what liquors you wanted? A.—No, I did not.

Q.—Had you anything to do with the purchase of the liquors? A.—I had not.

Q.—That is, you did not know where the liquors came from at all? A.—No.

Q.—They were brought to your store by the express man, I suppose? A.—Yes, they would be our carters—the same thing—and put in the rear of the building and locked up in these compartments by Mr. Forster and Mr. Forster gave them out to me as I required them.

Q.—They were kept locked up in the building, by Mr. Forster? A.—Yes.

Q.—And they were handed out from time to time as you required them? A.—Yes.

Q.—How did you make your requisition to Mr. Forster to have the liquors handed out to you? A.—Well, he was there almost every day and—

Q.—And did you do that in writing or by verbal request? A.—By verbal request and when he would hand them out I would give him a receipt for what I got.

Q.—What kinds of liquor did you start in with on the first of July, 1916? A.—I could not tell you that from memory.

Q.—Tell us some of the common kinds you had in stock. A.—I can get it here—

Q.—I mean July first, 1916? A.—Alcohol, ordinary rye, brandy, Scotch, beer, champagne.

Q.—You kept champagne? A.—Yes, we keep that all along. When they die we have to have that, and rum, grape wine, that is, Canadian grape wine for sacramental purposes.

Q.—I take your word for it. A.—Well, I am not much of a judge of these things, but still I guess we have both used some grape wine.

MR. WEIR: And not for sacramental purposes either.

A.—Well, I won't say but what we ought to. That seems to be the different kinds.

Q.—A pretty large stock was it? That was pretty much your stock, was it? A.—Yes, what I sold, sold it out of stock. This would be what we sold out of stock. And sherry wine; that is for making ipecacuana wine.

Q.—If a demand arose for any particular kind of liquor, you would request the Vendor to get that? A.—I would request Mr. Forster.

Q.—Well, the Chief Vendor? A.—He did not go under that title.

Q.—What was his title? Do you remember? A.—Superintendent, I think it is. No, no—inspector.

Q.—He is addressed as Chief Inspector? A.—Yes.

Q.—You would make the request to him, would you? A.—Yes.

Q.—I am speaking of the time prior to Mr. Boyle coming in? A.—Yes.

Q.—As Attorney General? A.—Yes.

Q.—Did you make any request to him from time to time to get any liquors that apparently you had not in those early days? A.—I did.

Q.—What kinds? A.—Well, the public were asking for a certain kind of Scotch whiskey,

which we did not have at that time, and he tried to procure them and I suppose he did procure some. I see here, there were certain brands that were not here that was got.

Q.—Do you remember any other kind of liquor that the demand arose for? A.—I do not think there was any other particular kinds. One man would come in and he would want a certain brand of rye whisky, Gooderham or Majestic or Seagram's, and I would tell Mr. Forster this.

Q.—And he would order it? A.—He did order some upon my request.

Q.—Can you recall any other kinds of whisky that you have not named that a demand arose for? A.—During 1916?

Q.—Oh, yes, or 1917. A.—It is pretty hard for me to remember.

Q.—You mentioned rum? A.—Rum, rye whisky, Canadian port wine and bierweisen rye and gin.

Q.—Oh, yes, gin. When did the demand for gin arise? A.—Well, here is a book of December 29, 1917.

Q.—Whom did you make that sale of gin to? (Indicating.) A.—That was made to C. A. Gouin, a veterinary surgeon. A bottle of gin, \$1.75.

Q.—Where does Mr. Gouin practise his profession? A.—In Edmonton.

Q.—He is a veterinary surgeon? A.—Yes, a registered veterinary surgeon.

Q.—Generally speaking, have you sold much gin during the time you have been Vendor? A.—Yes, quite a lot.

Q.—Mostly to the drug stores? A.—Drug stores and doctors.

Q.—Do you remember how you came to first requisition gin? A.—No, I do not.

Q.—You have no recollection on that point? A.—No, not from memory.

Q.—Did you ever requisition gin in comparatively large quantities? A.—No.

Q.—Is there a pretty regular demand for gin? A.—Yes.

Q.—By all the drug stores? A.—By all the drug stores and all the doctors.

Q.—That is, the demand for gin is about, generally speaking, equally distributed among all the drug stores, is it? A.—Well, I do not know that. I could not say that from memory. Those books will give a complete record of who got everything and who did not and whether they were doctors or druggists.

Q.—You have not understood me. I am just asking you from your memory whether or not you could say that gin was in demand—was in about equal demand from all the drug stores? A.—Oh, I think so, according to the amount of business they did with me, you see, qualifying it that way.

Q.—Now, then, what was done with the liquors that were in your possession each night?

MR. BOYLE: By the way, before we go any further. I don't think he mentioned alcohol. Do you always have alcohol in stock? A.—Yes, we always have that.

MR. EWING: What is done with your liquors at night, that is the liquor that is not in the warehouse, that Mr. Forster had not charge of? A.—They were on the shelf in the outer room in the rear of the office, and those that are in cases are left there on the floor.

Q.—Was a check made over it? A.—Of what?

Q.—Of the liquors you had. Every morning was a statement made out of the liquors you had in stock? A.—There was not.

Q.—How often was a check made up? A.—Well, I do not remember of checking it up only once or twice during Mr. Forster's absence.

Q.—How did you happen to do that? A.—Well, he said he wanted to get a copy of what I had in stock, that he wanted to check up his stock with it according to the purchases and he wanted to know how much I had.

Q.—When did he do that? A.—Oh, I could not tell you that; I do not know.

Q.—About once or twice, in how many years? A.—Well, I think it happened twice in one year; once in 1917 and once in 1918.

Q.—That is twice in two years? A.—Yes, but he used to go in there and check it up himself.

Q.—Without you at all? A.—Yes.

Q.—Is this what happened—whenever you wanted any liquor from the warehouse you would requisition verbally? A.—Yes.

Q.—And without any check at all, without any check as far as the amount was concerned, you went on selling and when you needed more you asked for more? A.—Yes, that's it. I always gave him a written receipt for what I got.

Q.—Did you retain copies of those receipts? A.—I have them.

Q.—Are they here? A.—They are not..

Q.—And then did you make an inventory each night of what liquor you had left? A.—I did not.

Q.—What check had you on your sales of liquor apart from your cash receipts? A.—None.

Q.—You hadn't any? A.—No.

Q.—Now, by the way, had you a man named Teviotdale working around there? A.—I did not.

Q.—Was a man working around there by the name of Teviotdale? A.—Yes, there was a man by the name of Teviotdale working with Mr. Forster in some rooms outside.

Q.—But he had nothing to do with the retail sales with you? A.—No, nothing to do with the retail sales with me.

Q.—How many men do you employ there? A.—One.

Q.—He started in to work with you, did he? A.—No, I was alone at first.

Q.—How long were you alone? A.—That I could not tell you, until I asked the then Attorney General to give me some assistance and Mr. Munroe was sent up to box up the goods.

Q.—And Mr. Munroe has been with you since then? A.—Yes.

Q.—When did anyone else join the staff? A.—Well, somewhere last November, when I got very busy.

Q.—That was when the 'flu epidemic was on? A.—Yes, when it first started.

Q.—You got another assistant? A.—Well, I got two. I went up to the War Veterans' Association and got two men to come down. One man proved to be a good man. He is there yet.

Q.—What is his name? A.—Morrison.

Q.—Who is the other man? A.—I do not know what he was. He only stayed there three days. I could not do anything with him.

Q.—What was the matter with him? A.—He was no good; that is, for that business.

Q.—You sold liquor under the Act for cash only? A.—For cash only.

Q.—Who checked up your cash receipts for overnight? A.—I did.

Q.—But there was no check-up to see that your cash receipts checked with your stock? A.—There was not.

Q.—You did not do that? A.—No.

Q.—In your dealings with the druggists in town who would actually make the purchase as a rule? A.—The druggists themselves.

Q.—That is, the head of the firm? A.—No.

Q.—Would it be a licensed druggist? A.—A licensed druggist—one who is on the registered list.

Q.—That is, you would not accept an order from any drug store—that is, you would not make a delivery to any drug store except to a registered druggist? A.—That is all.

Q.—Take Mr. Archibald, in Edmonton, for example? A.—Yes.

Q.—Would he go down himself and purchase? A.—Yes he would come down himself.

Q.—That is, you have never sold any liquor to Mr. Archibald's drug store unless you delivered it to Mr. Archibald personally? A.—No.

Q.—And the same applies to— A.—All the others.

Q.—And take some other drug stores. Take Mr. Graydon. Did Mr. Graydon come personally to your store and take delivery? A.—Yes, he did, only he went away and since that Mr. C. E. Miller who is a registered druggist, and who I understand is acting for him, comes there himself and makes a request.

Q.—That is, you were careful to see that you did not deliver liquor to anybody but the registered druggist himself? A.—Yes, and doctors, and those who had a right to get it, veterinary surgeons and druggists and dentists.

Q.—That is, the privileged persons? A.—Yes.

Q.—Take the Owl Drug Company Limited. Who would come from there? A.—J. M. C. Hill.

Q.—And take the Dominion Drug Company. Who would come from there? A.—Well, the Dominion—is that the M. J. Rowlands?

Q.—That is the drug store on the corner of Fourth and Jasper. A.—M. J. Rowlands.

Q.—Who would come from there? A.—M. J. Rowlands. He is a registered druggist.

Q.—And you never sold any liquor, directly or indirectly, to the Dominion Drug Company Limited? You know them? A.—Well, that store on the corner of Fourth and Jasper—yes.

Q.—Except to Mr. Rowlands? A.—Well, there was another druggist there at the same time, and I sold to him.

Q.—Who is he? A.—I do not know what his name is; I can hunt it up somewhere, but a couple of times this other registered druggist came down in place of Mr. Rowlands.

Q.—But he was on your list as a registered druggist? A.—Yes.

Q.—And no one else either purchased or took delivery? A.—Or took delivery.

Q.—Of any liquor from your store in connection with that drug store? A.—No. Well, put "not took delivery." The carter that would come for it took delivery.

Q.—Oh, I see. I am speaking now of the person who arranged the purchase? A.—The person who purchased and paid for it—yes.

Q.—And all these transactions took place in your place of business? A.—Yes.

Q.—Have you a telephone in there? A.—Yes.

Q.—Do you accept orders by telephone? A.—I do not.

Q.—And I would like to be quite clear on this, Mr. Webster, because I would like to know for certain—that no representatives of any of these drug stores negotiated for the purchase of liquor from your store and purchased liquor from your store except the registered druggist? A.—Or others who were on the list and permitted under the Act to purchase liquors.

Q.—On what list do you mean? A.—On the dental list.

Q.—I am speaking of the drug stores only. A.—No, nothing.

Q.—You took payment in cash, did you, when you sold? A.—Cash or cheques.

Q.—Did you insist on the cheques being marked? A.—Well, I did at first and I found it was very offensive to a lot of men to make them go out. Pardon me for explaining why it is. They would come down with a marked cheque for \$100 or \$60 or \$10 or whatever it might be; when they came to me the goods were different from the price and then they would have to go back

to the bank again and get the cheque. And in that way I permitted a few of the druggists and a few of the doctors, even from outside, to send in cheques that were not marked, because it was such a hardship on these men I felt I was justified in doing so.

Q.—Yes, I think so. You found it inconvenient to do business unless you accepted the cheques? A.—Yes; it could not be done.

Q.—Did you ever make any exception to the rule of selling for cash? A.—No, I did not. I sold nothing only for cash or these cheques you speak of. There was no object to me in it.

Q.—Would any sales be made by any of your assistants without your knowledge, in that way? A.—Well, not to my knowledge.

Q.—Has it ever come to your knowledge that any liquor ever went out of your store without being previously paid for? A.—No, no; I do not see how it could.

Q.—I am just asking you? A.—No, no.

Q.—Who fixes the price at which you sell these liquors? A.—Mr. Forster fixed the price while he was there and Mr. Douglas fixes the price at the present time and from the time he came there.

Q.—You know nothing about the cost price of these liquors? A.—I know nothing about it.

Q.—Who would know that? A.—Well, the persons who would purchase it from the manufacturers or dealers. They should know.

Q.—And you do not know the spread between the cost price and the selling price? A.—No, I do not.

Q.—Have these prices been changed from time to time? A.—Yes, they have.

Q.—Do you keep letter files? A.—Yes.

Q.—You did not bring them with you this morning? A.—No, I did not.

Q.—Have you got quite a large amount of letter files? A.—Well, there is quite a lot—yes.

Q.—With whom was most of your correspondence conducted? A.—Well, the correspondence would be a man sending in a requisition, say, from Athabasca Landing. He would write me a letter stating that he would like that sent off tomorrow or next day and the train would be leaving and he was anxious to get it off at once and to try and rush it off. And in a few cases they have written me: "In case you cannot fill the order as specified, kindly change it," and in a great many cases I have had to do so.

Q.—Have you had any correspondence between yourself and the Department or any officer of the Department? A.—Any officer—yes; I have had correspondence with Mr. Forster.

Q.—Have you a separate file of that? A.—No, that would be in my own private letter book.

Q.—You keep a letter book? A.—I have a letter book of my own, one of the old style ones, and anything written that way, if I was writing to Mr. Forster about anything that I thought I might want to refer to again, I would keep it.

Q.—You do not keep copies of all your letters? A.—Oh, no.

Q.—You have that letter book, have you? A.—I have that letter book.

Q.—Now, you told us you knew nothing about the purchase of liquor or shipments of liquor here to the province? A.—Shipments in here?

Q.—Yes? A.—No; I know nothing.

Q.—That does not come under your knowledge at all. I see. The liquor, until Mr. Douglas came in, as far as you knew it, was purchased by Mr. Forster? A.—Yes, as far as I know it was purchased by Mr. Forster.

Q.—Do you know anything about the dilution of liquors? A.—I did not.

Q.—Did you ever dilute any liquor? A.—I never dilute any.

Q.—Well, are the liquors which you sold diluted, or do you know that? A.—Well, I think that some liquors that I did sell under Mr. Forster's management in my opinion were diluted. Now, I did not put a test on to it. I am not giving it from knowledge, of my own knowledge.

Q.—You did not do any diluting, did you? A.—I did not.

Q.—Do you know that Mr. Forster did? A.—I do not.

Q.—You never saw him diluting liquors? A.—I never saw him diluting it.

Q.—Do you know whether it is necessary to dilute liquor or not before it is sold? A.—Yes; I know something about that; but I was in the business in the east.

Q.—In what business? A.—In the liquor business in the east. I used to dilute liquor sometimes because it would save expense in freight and save expense in customs. If you take, say, rum 35 or 40 over proof and you want to reduce it to standard proof, then you would add a certain amount of water to bring it down to standard proof.

Q.—In other words you would import it over standard proof and you would dilute it down to standard proof? A.—Yes; because there was no use paying freight on water.

Q.—That is sensible? A.—Yes.

Q.—You could put the water in there? A.—You could put the water in there cheaper than you could pay the freight on it.

Q.—Can you tell me in practice, because you have had some experience, what liquors are diluted? A.—Where? You mean at the manufacturers' or at the salesman's or in my place?

Q.—By the retail salesman?

MR. BOYLE: Well, now. We want to make this clear. Do you mean diluted in the Vendor's store here, or do you mean the practice in the world generally?

MR. EWING: I am speaking of the practice of retail. I am not speaking of your work

of selling liquor here. I am speaking of your practice in the retail sale of liquors, what liquors are ordinarily diluted? A.—High proof standards.

Q.—And what liquors did you ordinarily purchase as high proof standard?

MR. BOYLE: Now, this is a record. We want Mr. Webster to thoroughly understand whether or not he is swearing to what he has been doing since he has been in the employ of the Government, or what he used to do years ago when he was not in the employ of the Government.

MR. EWING: You are clear in your mind what I have been asking you? A.—Well, you asked me about what class of liquors were diluted in a general business?

MR. WEIR: In the ordinary course of trade? A.—Yes. That has nothing to do with what I am doing here. And my answer to that is high standard grades.

MR. EWING: What high standard grades? A.—Well, perhaps I had better explain that to you. 100 per cent. on the electrometer, or whatever it is, is the standard for Canada. And anything above or below that is under proof or over proof. 100 per cent. is commercial standard proof and if you get rum or brandy or alcohol or anything of that kind over 100 per cent. commercial standard then you can dilute it down to that to make it standard because, as I said before, it comes cheaper to the ordinary dealer or the buyer, whoever he may be, the man who is handling these liquors, to dilute it at home than to pay freight on water.

Q.—That is in ordinary practice? A.—Yes, that is in ordinary practice among dealers or bottlers.

Q.—And what do you call the instrument with which they test? A.—Sykes Hydrometer.

Q.—Have you an instrument? A.—We had one there, I think so. It is under the care of Mr. Douglas.

Q.—Have you ever used it there? A.—Yes, I have.

MR. WEIR: Did you find most of your stuff standard—up to strength—in there? A.—It stands up to strength usually, what we buy it for, perhaps one or two degrees less. Now the last rum that we got in, Mr. Douglas told me it was bought for 32 overproof and it stood 33 and a decimal.

Q.—Do you use the standard temperature of 62 with the thermometer? A.—We have a scale for the different temperatures.

Q.—You have to have a table on the Sykes Hydrometer. But did you use the temperature 62 Fahrenheit temperature of the Excise Department? A.—Yes, we have a temperature.

MR. EWING: You use the Sykes Hydrometer yourself sometimes? A.—I have used it.

Q.—What have you used it for? A.—To know what I am selling.

Q.—That is, Mr. Forster, whatever he does on it, you think he dilutes some of the liquor? A.—I don't know that.

Q.—But you thought he did? A.—I don't know as I could say. I thought he did, for I really don't know. A man can have an opinion but still not give it in evidence. I don't claim I have a right to impeach a man with doing anything wrong.

Q.—Did you use the Sykes hydrometer for testing liquors that you were selling? A.—Well, I have used it.

Q.—How did you come to use it? A.—Well, I would want to know of my own knowledge what strength I was selling. A doctor would ask me how much stimulant was in it and unless I used that instrument I could not tell.

Q.—And that was only of course when you were selling bulk goods—what we call? Am I using the correct expression? A.—Yes, you are using the right expression.

Q.—And in selling bulk goods you would use the hydrometer? A.—Well, I did use it.

MR. WEIR: Your bottled goods would be under seal? A.—Yes, and we would have to open the bottle to test that and we do not do that. For instance, Hennessy Brandy, One Star, Two Stars and Three Stars—they are standard goods, or any standard goods I would not think of opening a bottle to do it because I would sell it the doctor and tell him what it was, because I know what it is. But goods that I do not know anything about I might test them.

Q.—Did you get any 50 over proof at all? A.—No.

Q.—Suppose you got 65 alcohol? A.—That is the standard alcohol.

Q.—Did you test much of that? Did you find it stand up pretty well? A.—Yes, I tested some of that. Sometimes I found it a little dark in shade and I would test that.

Q.—Did you sell any 25 under? A.—No, no.

MR. EWING: Did you do anything as a result of any of your tests that you made with the hydrometer? A.—No, I did not. I told anyone that asked me what standard it was. I would tell them what it was when I knew.

Q.—You just tested for their information? A.—No; I tested more for my own information so I would be able to convey my knowledge to them.

MR. WEIR: You did not make any note of these tests to Mr. Forster, did you? A.—I made a verbal report one time. We got in a barrel of alcohol that was a little dark in colour. That was caused—I was suspicious it might not be full 65 over proof.

Q.—Probably discolouration in the barrel? A.—No; in the roasting of the barley; that was the cause of it. If you allow the toaster to get too hot it scorches your barley and makes the alcohol a darker shade.

Q.—Well, you did report on one occasion to Mr. Forster? A.—Yes, about this being brown.

Q.—But not about the strength in any case? A.—No. We had one barrel that stood about 63½; that is 63½ lower than it was really necessary. 65 was the standard.

MR. EWING: Now, then, come to the doctors. When you sold to the doctors you took an affidavit, did you not, from them? A.—Yes.

Q.—Have you got a form of that affidavit here? A.—I think so (produced). The pink ones are dentists and the blue druggists or doctors.

Q.—A physician wrote there. I see it is J. E. State, M.D.—turned up by accident? Now, these records show on your sales to dentists, veterinary surgeons, druggists or physicians from the dates named here? A.—From November first, yes.

Q.—And the last one is November thirtieth? A.—Yes, that is a month's statement.

Q.—And the practice in your store is to take each month's affidavits and tie them up in this way? A.—Yes. I usually tie them up every month. Now, we have not tied them up every month of late. I don't know—I just grabbed those this morning.

Q.—Those affidavits are not all on the same form, are they? A.—No.

Q.—Have you a different form for druggists and physicians? A.—A different form for druggists and physicians and then the veterinary and dentists come in and then manufacturers.

Q.—Now, those are all sworn in your office? A.—Sworn in my office—yes.

Q.—And all sworn before you personally? A.—Yes.

Q.—That is, no druggist, no physician, no dentist and no veterinary surgeon can purchase liquor through your office unless he first swears before you personally the affidavit in the forms hereto contained? A.—That is right.

MR. BOYLE: Do the men come in from Athabasca Landing to swear these personally? A.—I will explain that. We are speaking of 1917. Last session you will remember it was changed to allow a man to send in an affidavit sworn to before a Commissioner or other person who is authorized to swear a man. Those I except, certainly, because of the law. But that that particular time.

Q.—We want to get this clear on the record. The law was changed when? A.—Thirtieth April, 1918.

MR. EWING: Last Session—the one before this? A.—Yes; that would be thirtieth April, 1918.

Q.—That is the date of the coming into force of the amendments to the Liquor Act? A.—Yes; I am only speaking from memory because I have not the records here.

MR. BOYLE: Prior to that time, how did druggists from the outside get their liquor? A.—They had to come. J. R. Carruthers had to come personally from Loughheed. Well, he would not give it to them any other way and hence the change was made.

THE CHAIRMAN: Where is Loughheed? A.—Well, down here on a branch of the C.P.R. about 100 miles.

MR. EWING: Do you keep a separate account anywhere in books which you keep showing the amount of liquor purchased by each druggist? A.—I do not. It is only kept in those books here.

Q.—Just let me see them?

(Produced).

Q.—You keep a record. This is the affidavit? A.—That is the first.

Q.—He first swears that? A.—Then I enter from there into this and then this is a carbon copy and I tear out the other what is written on, I tear it out and send it to the Department. They have a copy of these down here.

Q.—Now, what other book do you keep besides these? A.—This. (Produced.)

Q.—I am speaking of the period before this was introduced? A.—Just this and this (indicating.)

Q.—That is, when you produce this and this, outside of your letters you produce the whole records of your Department up to the time the change was made? A.—Yes.

DR. STATE: At this time, 1917, how much was a physician allowed to obtain from the vendor at one time? A.—Half a gallon.

Q.—And an outside physician could only obtain one lot on a visit to the city? A.—That is all.

Q.—And in my case, for instance, I should have to come 100 miles to obtain half a gallon? A.—Yes.

MR. EWING: Not on a visit to the CITY? A.—The doctor is saying he had to come 100 miles to get his home.

Q.—You mean if the doctor stayed here three days he could only get one purchase? A.—Oh, no; he could get more. I don't think the Act says that.

Q.—No, I am not suggesting it does.

MR. BOYLE: What the doctor meant was that under the Act before it was amended that an outside man, if he had to come to town and make a purchase that he could not sign up ahead and have it forwarded to him, he would just have to take delivery of what he got at that time? A.—That is right.

DR. STATE: That is as I understood it. A.—That is what I told you and told everybody else, that you had to take it and take it away.

MR. EWING: All you were interested in was in obeying the law in your office? A.—Yes, that is all.

Q.—That is, if they purchased the liquor and took it away that is all you were interested in? A.—Yes.

DR. STATE: As long as my name has been brought into this I would like to ask another question. How many times in the year would I buy anything in 1917? A.—I don't think only a couple of times. I don't think any more.

MR. EWING: I may say for Dr. State's information that it just happened that in the file we had, the one Mr. Webster turned up, it happened to be the name of the honourable member. A.—I don't think over a couple of times.

Q.—I see you have written "Adult" here. What does that mean? A.—Well, that they were over age. I would not give it to a boy and I would not give it to a druggist if he was in my belief under twenty-one.

Q.—That is, the law prohibits you from doing that, does it, or do you know that? A.—No, I don't know as the reading of the law would give that.

Q.—At any rate I notice you wrote in adult. You have done that continuously throughout your books. A.—Yes.

Q.—And the name of the person who sells. Now I see it is W. J. Webster there? A.—Yes.

Q.—Do you do all the selling, or does someone else occasionally do that? A.—I know I did all the selling. I did all the selling.

Q.—Right down to when? A.—Down to last fall when it got pretty busy. You see, no one could get anything unless they took the affidavit. Well, I had to shut up to go to lunch and then there was a Mister somebody, Parks, I think, sent there who had power to take affidavits and then there was another man sent over after. But during this time I did it all.

Q.—And this indicates the hour at which the purchase was made? A.—The hour it was got.

Q.—And this is affidavit? A.—Yes.

Q.—And of course they are all made on affidavits? A.—Yes.

Q.—And you have the address of each person? A.—Well, I suppose I have. I think I have. It might not be correct in every case. I take it off this.

Q.—But the person named here as the purchaser is the person who took the affidavit in every case? A.—Yes, the same identical person.

Q.—To follow up your system—what are those lead pencil marks there? A.—John Baxter, two quart bottles of wine, 75 cents.

Q.—That was not made on affidavit? A.—No; that was made on application. It does not require an affidavit.

Q.—Where would the application be? A.—On that other file on the yellow sheet.

Q.—You have a yellow sheet for that purpose? A.—Yes; the law did not require affidavits in these cases.

Q.—"Rev. John Sasulak" says "Send by express Friday." Did you do that? A.—It is so long ago I can't remember.

Q.—Did you send it by express at all? A.—Well, I don't know.

Q.—Ministers can purchase without being present? A.—They can come in verbally or any way at all as long as they sign one of these forms and they can come as often as they want to.

Q.—And if you get one of these forms you will send it as per directions? A.—I will send it—yes.

Q.—Have you a list of ministers in your store? A.—I have a list of some of them. I do not think I have a list of them all because I have a lot of Ruthenians—a list of them—but they cannot buy anything but wine.

Q.—Why can't they? A.—Because the law prohibits them from buying anything else. So I cannot be very badly bit in sending a man a pint or quart of wine even if he was not a minister that is, even if he purported. He makes a declaration he is a minister of a church. Here is one here—the church of Mundare, one gallon of wine, \$2.25.

MR. DAVIS: Can they buy any quantity they wish? A.—Yes.

Q.—We have the wrong occupation.

MR. WEIR: That means Minister of the Gospel; not Minister of the Crown.

MR. EWING: Now I have "Charge stock account with 14 ounces alcohol sent to Hunt, druggist"? A.—That was this way. Mr. Hunt claimed that he got 14 ounces short some day previous to this according to his measure and according to the measure that I gave him and I spoke to Mr. Forster about it and he thought it was better to give him 14 ounces to make up the deficiency and I charged that up against Mr. Forster.

Q.—Did Mr. Hunt call for that? A.—Yes, I think he called for it. He was over there and finding fault that it was 14 ounces short in the gallon.

Q.—It is not correct to say you sent it to him. He called and got it? A.—In this here why the word "sent" is used—"I have charged stock account with 14 ounces alcohol sent to Hunt the Druggist." This is a letter to Mr. Forster to show why that charge was made. Or, in other words, it is a credit to me.

Q.—I understand that, but did you send it to Mr. Hunt or did he call for it? A.—He called for it. He was over and got it.

Q.—Well, you say you sent it? A.—Well, why would I not give it to him? That is a common business term to put it in that way, as a charge against the party or a credit to me.

Q.—I am asking whether the liquor was sent to Mr. Hunt or whether he called and got it? A.—I can't from memory say.

Q.—Would you in the practice of your office send it to him in a case of that kind? A.—If I was short I would. I don't know of any other case where it happened where I was short except

to Mr. Greene. We were short three ounces to him and I think I brought it over to him myself.

Q.—And this one you may have sent? A.—I may have. I don't know; I am only speaking from memory.

MR. BOYLE: With regard to that store. Before the last alterations were made how many rooms were there? A.—One, two, three, four, five.

Q.—Five different rooms? A.—Yes.

Q.—And then is it not a fact that there is a passage way running through—there was a passageway running through the store right from the front to the back? A.—Yes.

Q.—And there was a back door? A.—Yes.

Q.—There was a back door and a front door? A.—Yes, and a middle door.

Q.—Well, now, why was the middle door put on? A.—To separate Mr. Forster's part from mine.

Q.—Yes. Now, by middle door, what do you mean? Do you mean, for instance, as you walk in at the front door, before the alterations were made, there was a desk? A.—Yes.

Q.—And a chair or two? A.—One chair.

Q.—And then you came to a partition? A.—A little partition—yes, with a door in it.

Q.—Yes. That went back into a room? A.—What I call my room, where I kept the liquor.

Q.—Where you kept some of the stock? A.—Yes.

Q.—And then behind that room? A.—There was a door.

Q.—Shutting off the room behind? A.—Yes, that is right.

Q.—And that was the part that you termed Forster's part, was it. A.—Yes?

Q.—Now, in what you now describe your part, you kept such a stock of liquor as Mr. Forster had given you for the time being to sell? Is that not so? A.—Yes, that is right, that is right.

Q.—Some of it would be jugs and some of it in bottles? A.—Yes; and some in cases.

Q.—Now, then. Where does your man pack this? For instance, if you had an order to fill? A.—Yes.

Q.—The man you had working for you would be preparing this order? A.—Yes.

Q.—At the time I went to the store you were very busy, were you not? A.—True, true, very busy.

Q.—And there were a considerable number of people there? A.—Yes.

Q.—Waiting to be served? A.—Yes.

Q.—And waiting to get their goods? A.—Yes.

Q.—Your man was making up their packages? A.—Yes.

Q.—Back in this hallway, was he not? A.—Yes.

Q.—And alongside of him were such stock of liquors as you had, as Forster had given you? A.—Yes.

Q.—Now, when a druggist was there, for instance, or whoever it would be that had a right to purchase and had ordered it, when he wanted to get his package, wouldn't he go in back where Munroe was? A.—He would have to go where Munroe was and carry it out.

Q.—And carry it out? A.—Yes.

Q.—And right in where Munroe was, was your stock of liquors? A.—Yes.

Q.—So that, as a matter of fact, practically everybody, the way the store was arranged, if your back was turned anybody who was buying a package of liquors if he saw a bottle handy he could pick it up and put it in his pocket, couldn't he? A.—Certainly he could do that. But I had every confidence in the druggists and those that were there.

Q.—That is all right. I am not referring to that. But I want to get this clear in view of the evidence that was given to my honourable friend. Now, then, there was nothing but this partition, a temporary partition? A.—Yes.

Q.—Between your own space and the room that contained the liquors? A.—That is all.

Q.—And the packing was done back in this room that did contain the liquors? A.—Yes.

Q.—And everybody that had bought a package had to go back in there to get it? A.—Well, not every person, because Mr. Munroe would sometimes bring it around and hand it to them right there near the desk. All I had was a desk there.

Q.—Is it not a fact that some of these packages were made up and put out by Mr. Munroe in the front? A.—Yes.

Q.—To wait for the man to come and get it? A.—True, true.

Q.—And he probably had several of those packages? A.—Yes, and put out the goods for the express, too.

Q.—Well, then, the people that were there doing business—these packages would be right there at their feet, wouldn't they? A.—True.

Q.—They would be walking around them? A.—True.

Q.—So then, as a matter of fact, if any of these people doing business with the store wanted to be dishonest, and your back was turned, the way the store was rigged up, it would be very difficult for you to catch them if they wanted to take a bottle of liquor? Isn't that so? A.—Why, certainly, if my back was turned and you or anybody else came in there and grabbed a bottle of liquor I could not help it.

Q.—Certainly. That is what we wanted to get at. Now, remember we are not insinuating that any person did steal liquor; we are discussing the condition of the store and whether or not the facilities were such as to prevent people from having access to the liquors? A.—That is right.

Q.—Behind this partition, behind this middle door, was the part of the store which you call Mr. Forster's part? A.—Yes.

Q.—And it was subdivided into rooms was it not? A.—One, two, three, four—four rooms, I think.

Q.—One of these rooms contained the confiscated liquor, did it not? A.—Yes, the one in the rear.

Q.—And then one of them contained bottled liquor or I suppose you would call it cased goods. A.—Cased goods, yes. Each of those rooms had bottles and cases and jugs or something of that kind.

Q.—And there was one of them that contained almost entirely barrels, wasn't there? A.—Yes.

Q.—And, if you remember the day I was there? A.—Yes.

Q.—Do you remember the room that Mr. Teviotdale was in? A.—I do not remember, Mr. Boyle. I do not remember what room he was in. I saw him there that day and I really do not know what room he was in. I saw him in the vault—in the alleyway going out, that is where I saw him.

Q.—Now, this is all right. This is the door, this is the middle door that you speak of? A.—Yes.

Q.—Was it always locked during the day? A.—Oh, no, no.

Q.—If the middle door was open, what was there to prevent a druggist, for instance, who went back into your portion to get a package from Mr. Munroe, to walk into Forster's part? A.—Nothing.

Q.—And he had to go back into your place to get his package? A.—Yes.

Q.—And then, the door being open, it was very easy for him to walk back into Mr. Forster's compartment where the larger stock of liquors were? A.—Certainly he could, if the door was open. On each of these rooms there was a door with padlocks.

Q.—But I am presuming the middle door on the passage way was open? A.—Yes.

Q.—And if any of the side doors were open? A.—Yes.

Q.—As a matter of fact, weren't all these doors open quite frequently? A.—Quite often—yes.

Q.—And are you prepared to say that that was a satisfactory or safe way to have a store arranged? A.—Well, I did not consider it safe.

Q.—And changes were made in the store? A.—After consulting you?

Q.—Yes? A.—And someone sent Mr. Charlesworth there and there was a counter put in and a door going through into this first room out of the office with a bolt in the inside and the partition was put across so people could not get in; that is, the public would not get in around my desk or around where the money was being taken in.

MR. WEIR: They had to do business over the counter? A.—Yes. Sometimes they called it a bar, but I could not help it.

Q.—Did Mr. Forster carry a large stock of liquor there? A.—I do not know.

Q.—You have no idea of the extent it was? A.—No, I do not know.

MR. BOYLE: You do not know what class of liquors distilled water was put into? A.—No, I do not know.

Q.—Do you remember how many bottles of distilled water was in the store? A.—I think there was some three or four or two or three, I do not remember, or demijohns of water were there that day that you came in. I cannot say the number, but I am satisfied there were two or three, at least.

MR. WEIR: You had no business with Teviotdale? A.—No.

MR. BOYLE: With respect to the way you used to get your liquors from Mr. Forster. About how often did he visit the store? A.—He visited the store—well, I took a cast on that once—one and a half times a day. Now, I am not exactly sure of that; that is only running over my sheets that I signed for.

Q.—How much of a supply would he let you have on hand—about how many weeks' supply would he give you at a time? A.—A day and a half to two days, perhaps.

Q.—Well, then, he did not let you have very much liquor at any one time? A.—No, I guess not.

Q.—Then with respect to checking it. Did Mr. Forster check your books at all? A.—Well, Mr. Forster—I always sent him those sheets, he always had them and he told me that he checked them.

Q.—And from the information that Mr. Forster had from you? A.—Yes.

Q.—That is those sheets? A.—Yes.

Q.—Showing your sales? A.—Yes.

Q.—How long would it take him to check up your stock? A.—Well, he could check it up off the book in ten or fifteen minutes, you see. He knew exactly what was there every day. As quick as I sent in my return sheet in the morning to him if he turned it up he would see what was sold.

Q.—Then as a matter of fact you do not know how often he checked your stuff? A.—No, I do not know.

Q.—He might have been checking it every day for all you knew? A.—Yes, certainly. But I remember once or twice and may be oftener he came up and looked through the stock that

was on the shelf—so many bottles of Hennessy Brandy and so on—and he had written it down there; I don't know for what purpose.

MR. WEIR: Had he an office in that building? A.—No; his office was down here in the lower building.

MR. BOYLE: Did he ever check your cash? A.—No.

Q.—Did the auditor check it? A.—Yes.

Q.—That was part of the business of the auditor, regularly to check your cash? A.—Yes.

Q.—Did he check it up with your stock, do you know? A.—The auditors took a list of the stock that I had and I suppose took a list of the other; I don't know.

Q.—You do not know whether it was the practice of the auditor to check with Mr. Forster? A.—Oh, no, I don't.

Q.—Well, at the end of a day's business when Mr. Forster was there, would you have any liquor much on hand as a rule? A.—No, not very much, because, as I told you before, he made a trip up there about once and a half every day or somewhere about that and gave it out to me as I wanted it.

Q.—Here is another thing I wanted to ask you, with respect to the people in the store, at the time I was there, the day I was there, A.—Yes.

Q.—All these druggists were not in the habit of waiting to get their supply of liquor, were they? A.—No.

Q.—When they had signed their affidavit and paid their money they would go back to business would they not? A.—Yes, some of them.

Q.—And probably leave a clerk to get the liquor? A.—They would usually send a carter for it.

Q.—They would usually send a carter? A.—Yes.

Q.—And the carter would be able to walk right in among that liquor? A.—He could at that time.

Q.—Yes. And if there were any bottles handy he could help himself if your back was turned? A.—Well, I tried to keep the bottles over on the other shelf further away from there if possible.

Q.—And not make the temptation too strong? A.—Yes.

MR. WEIR: You were not taking too many chances? A.—Yes.

MR. BOYLE: About the testing. Was it your custom to test liquor very often? A.—No, it was not. I just sold it.

Q.—You did not make a practice of testing liquor that you sold? A.—No. Because, first, I did not have the instruments. Mr. Forster kept them himself and I did not have any instruments and my own personal instruments that I used years ago one of them fell and it was dinged in and it was not correct and would not work out right.

Q.—So then it was only occasionally you made any test? A.—Oh, I do not remember very much, only in one particular. I think I spoke to Mr. Ewing about it, at the time that some alcohol was a dark shade and I asked Mr. Forster to bring up the instruments and I tested it.

Q.—At the time I went to the store what was your—up to that time had you been supplied chiefly with bulk liquor or bottled stuff? A.—Well, both.

Q.—About what proportion would it run do you think? A.—Oh, I could not tell you that. I could if I had the books here, pretty near. But I could not from memory.

Q.—Well, how did you handle the bulk stuff when you were selling it? How did you put it up? Did you supply the jars around? A.—We supplied the jars and the bottles and drew it out of the barrel by measure.

Q.—Well, now, how did Mr. Forster hand you out the bulk stuff? Did he hand you a barrel at a time? A.—A barrel at a time.

Q.—He would give you a barrel. A?—Yes.

Q.—What is the practice at the present time? Are you handling much bulk liquor? A.—Well, we have alcohol, ordinary rye.

Q.—I mean outside ordinary alcohol? A.—Ordinary rye, special rye, rum. We did have brandy, we are out of it now, that is in bulk, and gin in bulk.

Q.—Do you know anything about whether that is old stock or new stock? A.—Well, some of it, it is chiefly all new stock since Mr. Douglas came in there. There was some old gin put up in bulk and St. Augustine's sacramental wine.

Q.—Are you sure that is new stock—that there is bulk rye new stock there? A.—Well, I could not say; I do not know. I do not know anything at all about the buying. My own opinion is that the Walker's Special Rye is some that came in not a great while ago, that I am selling now.

Q.—In bulk? A.—Yes; I do not know, you know.

MR. WEIR: Did Mr. Forster give out any liquor except through your seller? A.—I do not know.

Q.—Had he power to? A.—Well, I do not know; I would not know that.

Q.—When you got these bulk goods from him, how did you know you were getting a quantity? Did you go by the Inland Revenue marks? A.—The Inland Revenue marks.

Q.—That would be on native stuff? A.—Yes.

Q.—Imported stuff, you would have to take the original stamp? A.—The original stamp, yes, and some of the imported stuff would run short, of course, quite a lot short. And in fact they all run short.

Q.—The other stuff evaporates, of course? A.—Yes.

Q.—You would have to take the note in gallons and the barrel? A.—Yes.

MR. EWING: I have just taken the trouble to look through a few of the first files, a few applications on the first file you produced? A.—Yes.

Q.—I think you told the Honourable Member for Clearwater the only way he could get his liquor was to come down here personally to your office and apply for it? A.—That was prior to the change in the law.

Q.—That was in 1917? A.—Well, whenever the change was.

Q.—Well, here is an application from F. Day Smith, physician and pharmacist. He gets two gallons of alcohol supplied on an affidavit sworn at Vermilion, 31st October, 1917, before Edward Long?

MR. BOYLE: When was the amendment made?

MR. EWING: 1918.

MR. BOYLE: Are you sure of that? I do not remember that amendment last year.

A.—Thirteenth day of April, 1917, is when it was made.

MR. EWING: What amendment are you referring to? A.—The amendment that I could fill an application sworn before Mr. Long or any other authorized magistrate and shipped to J. D. Smith, of Vermilion, that quantity of goods.

Q.—Since the amendment was made, whenever it was, you have started in to do that? A.—Started in to do what?

Q.—There were amendments made in 1918. I do not know whether that was one or not.

MR. BOYLE: It would not take long to discover that defect in the law.

A.—I know Smith has been in the store several times.

MR. EWING: Since then you have been shipping regularly, have you, as the applications came in? A.—Yes, and here is another one at Vegreville. That was on the third of November.

Q.—And you supply your application forms now on demand, do you? A.—Well, on demand—yes. But I have not been supplying them in the past. They were sent from the Department to the registered druggists, doctors and others who were permitted to buy.

Q.—I mean the privileged persons? A.—To privileged persons—yes.

Q.—Well, now, Mr. Webster, before you go today, I want to ask you something else. Perhaps I could best call your attention to it by reading from a copy of a letter which is brought down as a return to the Legislature from F. G. Forster to The Honourable J. R. Boyle, Attorney General of Alberta, dated 25th November, 1918. This letter can be put in but I will just read the portion now I want the witness to deal with. (Reading):

“If there was anything further required, in my mind, to completely justify my attitude towards the position which I until recently held, it was furnished on Friday afternoon the eighth instant, when our mutual friend, the member for St. Albert, who is not a ‘privileged person’ within the meaning of the Liquor Act, purchased in the Vendor’s Store some \$400.00 worth of liquors, and, after delivery being refused without payment by one employee, he was allowed to remove the liquor from the store without payment. I think the transaction involves two ‘infractions of the Liquor Act.’”

Now, without discussing the legal aspect of it, what have you to say to that statement of Mr. Forster’s? A.—Well, I do not know any such thing as that. Is Mr. Boudreau the man you refer to?

Q.—Yes. He refers to him as the member for St. Albert. A.—He is not a druggist. He buys nothing.

Q.—Never has bought anything in your store. A.—No, never has bought anything from me. I recognize nothing only these sworn applications from anybody. It makes no difference who it is.

Q.—You mean it is not true, is it? A.—Well, that statement, I don’t know who signs it.

Q.—It is F. G. Forster. A.—As I said before, I recognize nothing only those sworn applications, from anybody.

MR. BOYLE: What he asks is “Did you sell \$400 worth of liquor to Mr. Boudreau on credit?” A.—No.

Q.—Or sell him any liquor at all? A.—Neither on credit or any other way.

Q.—Did you ever sell him any liquor at all? A.—No.

MR. WEIR: Did he ever get any liquor out of your place? A.—He has carried liquor out. No, he has not carried liquor out. But I think one time, I cannot say, really, but I think he carried in his car, that is the car at the door there, that there was a case of liquor he took out on Mr. Rowland’s application.

Q.—With the affidavit covering? He just simply acted as the carter in the case? A.—I don’t know what he was.

MR. EWING: You told us you delivered to no one but the carter or the person? A.—He was the carter if he carried it out.

Q.—You term a carter anyone who carried it out? A.—The person who carried it out would be the person who took it away. My business stopped as quick as the goods were delivered and paid for.

Q.—That is, you delivered to anyone who came along for it? A.—No, I would not.

Q.—Now, I want to get this thing fairly. You told us you only delivered to a carter. Now

carter means someone who is engaged in the regular business of carter? A.—Well, the definition of carter is not that.

Q.—What is your definition? A.—The definition is any person who carts or for their own desire to deliver goods to anybody else. That is the definition.

Q.—I will take your definition; a person who carts for — A.—Or the person who—

Q.—Was Mr. Boudreau carting for hire do you think? A.—I do not know.

Q.—Well, how did you come to deliver it to Mr. Boudreau? A.—Because Mr. Rowland said he was down there at the time.

Q.—Who is Mr. Rowlands? A.—He is a druggist, corner of Fourth and Jasper.

Q.—You delivered the liquor that was purchased by Mr. Rowlands to Mr. Boudreau? A.—I did not say I delivered it to him. I remember at one time him taking a small case out.

Q.—I mean he got it? There is no use quibbling on words. He got the liquor? A.—Yes, he carried it out.

Q.—Well, then it was delivered from your office to him. There is no doubt about that, is there? A.—I suppose he was acting as agent for Mr. Rowlands.

Q.—Do you make a practice of delivering it to agents? A.—No.

Q.—How did you come to do it in this particular case? A.—The man took it.

MR. BOYLE: As a matter of fact, don't you make a practice of delivering it to agents? You told us a while ago the carters in most cases delivered your stuff. A.—Very well, they were carters, but he is speaking of an agent and he said that Mr. Boudreau was not a carter. I do not know whether he was a carter or not. All I know is at one time there was a small case for Mr. Rowlands put on the counter and I am almost positive Mr. Boudreau carried it out with Mr. Rowlands.

Q.—Was Rowlands there too? A.—Yes, they were both there together.

Q.—That is you would not have given it to Mr. Boudreau if Mr. Rowlands had not been there? A.—No; I do not think Mr. Boudreau could carry it. That is the only case I have any knowledge of at all.

Q.—Of having delivered any liquor to Mr. Boudreau? A.—Well, I put it on the counter there, that was my delivery—yes.

Q.—But that is the only case you remember, is it? A.—Yes, that is the only case I have any knowledge of whatever of Mr. Boudreau ever carrying anything out.

Q.—Are you certain, as a matter of fact, whether it was Mr. Boudreau or Mr. Rowlands that carried it out to the car? A.—Mr. Rowlands was carrying out some; they were both there together.

MR. EWING: Were they both carrying out at the same time? A.—Yes.

Q.—How much were they getting on this particular occasion? A.—Well, I could not tell you.

Q.—When did this happen? A.—Perhaps in November some time.

Q.—And how long did it take them to carry it out? A.—Well, a couple of boxes—some bottles there, I don't know.

Q.—And one took each box, did they? A.—Well, I don't know how many boxes. It might have been more. There was one anyway, or two.

Q.—Just one carload. They did not go back a second time? A.—No, not a carload at all.

Q.—Now to come back to this statement. I want you to state definitely what you know about it, "Who is not a privileged person within the meaning of the Liquor Act purchased in the Vendor's Store." Your statement to the Committee is that the member for St. Albert did not on that date or any other date purchase in your store any liquor whatever? A.—He did not or since that evening.

Q.—And of course if he did not purchase it at all it could not have been delivered on credit? That follows, of course. A.—Why certainly he did not purchase and he did not get anything on credit nor no one else got anything on credit.

Q.—No one else at any time got any liquor on credit? A.—No, nothing.

Q.—Then this statement contained in the letter of the 25th of November is wrong in practically all its particulars? A.—If it states what it does there.

Q.—Well, as I read it to you it is wrong? A.—Yes.

Q.—Of course, the statement that the member for St. Albert is not a privileged person, that is correct? A.—Well, he is not on my list.

Q.—You do not know him to be a privileged person? A.—I do not know him to be such.

Q.—Would anyone in your store at that time have any right, or any authority from you to let out liquor on credit? A.—No one living has any authority to let out any liquor only in a lawful way from me.

Q.—Quite so. Now, if \$400 worth of liquor, or about that amount, had been let out on the eighth of November last, under the practice in your office, would you have discovered it? A.—Well, I would have discovered a shortage. I think my eye would have glanced over anything that would have been taken out because in a morning I always take a look through everything when I am there.

Q.—A general look? A.—Yes, and we close up at 11 and not open till 1.30. The business is closed up now.

MR. WEIR: What assistance did you have at that time? A.—Munroe was the only man I had at that time.

MR. EWING: And this could not be done. What I want to get at is this, this could not be done without your knowledge? A.—I do not think it could. No, I do not think it could.

Q.—And if it had been done you would have discovered it the following day? A.—I certainly would have discovered it almost immediately. I do not believe there was any such thing.

Q.—You said you do not believe there was any such thing. A.—You spoke about Mr. Munroe being in there; he might have done it but I would have discovered it.

MR. WEIR: He would have reported it to you if he had? A.—He certainly would. He is a straight man.

MR. EWING: And it could not happen? A.—No, it could not happen.

Q.—I would like him to bring these documents the next time: All applications for liquor during the months of October, November, December, 1918. And all applications for liquor during the month of February, 1919. I want those at the next meeting. A.—I can box them all up.

MR. BOYLE: Do you want all the records he has in the store.

MR. EWING: No, the applications.

MR. BOYLE: What do you want them for?

MR. EWING: I want to look at them.

MR. WEIR: You are only asking for three months there. There is nothing about that.

MR. EWING: It does not matter if we are asking for a ton of them.

MR. BOYLE: I will give you a fiat to go down to the store and go through all the records that are there if you want to. But I do not see why we should cart all the records of the store for this Committee unless there is some reason for it. If there is a reason for it, why we will bring the furniture down.

THE CHAIRMAN: Will Mr. Boyle's suggestion be satisfactory to you if he grants you a fiat to go through all those documents down there?

MR. CAMPBELL: Would we want a fiat for every member of the Committee?

MR. EWING: A difficulty at once arises which is very apparent to anyone interested. I do not want personally to go through these things. I have not the time to do it. If you will grant a fiat for me or any person whom I may nominate, and they will be reputable persons, that will be satisfactory.

MR. BOYLE: I could arrange that.

MR. WEIR: But there are only three months' files and there is one month here; it can't be so much bigger.

MR. BOYLE: Oh, well, we can do that.

MR. WEIR: Just those three months.

MR. EWING: All we want is for October, November and December, 1918, and February, 1919.

MR. BOYLE: Well, we will either do that or I can give you a fiat.

MR. WEIR: Why should we not have them up here before this Committee?

MR. EWING: They are put up in that form? (Indicating records now before the Committee.)

A.—A number of them, but others are put up by the day.

Q.—But you can get them quite easily? A.—Yes.

Q.—And it won't involve any tremendous difficulty to bring them down here, will it. A.—I can get them here if you have an order.

MR. WEIR: You will hardly have to have a carter to bring them down here. A.—No, but I am not in the habit of lugging—

Q.—I know, but it is only a case of four months.

MR. EWING: It is understood that Mr. Webster will produce these four months' applications at the next meeting of the Committee?

MR. BOYLE: I am not certain about that. We will either do that or give you permission to go there.

MR. EWING: Some of the members of the Committee express their desire to see them.

MR. HOADLEY: Mr. Chairman, the position is this—

MR. BOYLE: This is The Public Accounts Committee. If there is anything wrong with the accounts we are quite prepared they shall be investigated.

MR. EWING: That is all that is necessary, then.

MR. BOYLE: If there is anything wrong with the accounts.

MR. EWING: We cannot know the condition of the accounts before we see them?

MR. BOYLE: This has nothing to do with the accounts.

MR. EWING: It has everything in the world to do with the accounts.

MR. BOYLE: It does not cover the cash received or anything at all of that nature.

MR. EWING: But it is no use discussing that. I am moving that these applications for the months of October, November and December, 1918, and for the month of February, 1919, be brought down by Mr. Webster at the next meeting of the Committee.

THE CHAIRMAN: There is no quorum here.

MR. EWING: These men have just gone out.

THE CHAIRMAN: Well, I ordered these men to stay here and they went out.

MR. EWING: I have put my application in the regular way and if this Committee refuses to do it, of course I will have to go to the House and ask for it.

MR. HOADLEY: I think it is a very unreasonable thing to ask members of the House to go up to the office that this gentleman says he conducts his business in and examine those papers. I think there can be no dispute about the fact that the purpose of this and every other Committee and the whole proceedings of the House are to investigate if there is investigation required. If you do not like that word "Inquiry into"—the conduct of the business of every department and all documents that are necessary for that procedure should be produced to the convenience of the members, not that they should have to run all over the City of Edmonton from one office to another to examine documents.

MR. BOYLE: If there is anything wrong with these accounts, if there has been a cent of money gone astray in any way, we will produce all the books that can be found. What I wanted is—and what I think is fair is that the member for West Edmonton should state frankly to the Committee what he wants these for?

MR. EWING: I will state it with every frankness. I want it as a member of this House and as a member of this Committee to examine these applications, and I have a right to examine them on the order of this Committee. I have nothing to say to Mr. Boyle about what I expect to find there and what I may find there. It would be a most extraordinary thing if, before you looked into any papers or anything else, you had to tell a Minister in advance what you expected to find there.

MR. BOYLE: That is all I wanted to know. I wanted it understood that there is no question of money going astray or anything, but he just wants to find out who bought liquor during those months and they will be produced.

MR. EWING: That is all I want to find out—how the business of this department is being conducted. Is that right, Mr. Chairman, they will be produced?

THE CHAIRMAN: Settle this matter between yourself and the Attorney General.

MR. BOYLE: Yes, they will be produced. But they are the only records we have of that store and they are not going to be left thrown around this table or the Assembly. They will be taken back to the store as soon as they are examined here.

THE CHAIRMAN: You had better gather up your papers, Mr. Webster.

MR. BOYLE: These will be taken back to the store now. Those are the records of the store and they are not going to be left kicking around here.

MR. EWING: I have tried to conduct this inquiry in a reasonable way. The records of the Department are safe in your custody, Mr. Chairman?

THE CHAIRMAN: I have no place to keep them.

MR. EWING: Well, then, some means ought to be taken.

THE CHAIRMAN: I am not going to sit on these documents from day to day for any committee.

MR. BOYLE: State specifically what you want and they will be produced here from day to day and we will bring them back, but they go back to the store when the vendor goes back.

THE CHAIRMAN: Leave them in his charge and he will produce them when they are required. They are as safe in his custody as in mine.

MR. CAMPBELL: The advantage of being in your custody would be that some member would have an opportunity to examine them.

MR. BOYLE: If any member wants to go further into it I will give him a fiat to go down there and dig into it at his pleasure, but these records won't go kicking around here.

MR. EWING: You will bring back all the records you have here today? A.—Yes.

Q.—And the records which the Chairman has indicated to you? A.—Yes.

MR. WEIR: Do you remember or recall who was the Commissioner or Justice of the Peace who signed these applications for this liquor on behalf of Mr. Rowlands? Does your record show that? A.—It would not show that, I do not think. Well, it would show it, but not on this.

Q.—Where would that information be? A.—It would be up in the office.

Q.—I see. A.—You see, this is 1917, 1916 and 1917.

Q.—I would be more interested in 1918. I would like you to have that information next time we come here as to just who was the commissioner. A.—The application will show itself.

Q.—You do not buy any distilled water from the McLaughlin people or anybody else? A.—I did not, no. I did nothing in the buying at all. I had nothing to do with it.

Committee adjourns *sine die*.

TUESDAY, MARCH 18, 1919.—COMMITTEE RESUMES AT 10 A.M.

MR. BOYLE: On a previous day part of the correspondence between the Chief License Inspector and myself was put in as evidence. I think there was one letter of mine and part of a letter of Forster's. I think we had better put in all the correspondence.

MR. EWING: Put it all in. You can get that from the Return. Put in the whole file and put them all in together.

MR. BOYLE: There may be some letters that have not anything to do with the inquiry.

MR. EWING: Yes, but I think you will have difficulty in excluding any letter if you want to get any intelligent idea of what the whole correspondence is.

MR. HOADLEY: That is the idea.

(Correspondence put in as follows):

"Edmonton, Alberta, November 4, 1918.

"F. G. Forster, Esq.,
"Chief License Inspector,
"Edmonton.

"Dear Sir:

"I was surprised to find the condition of the Vendor's Store at Edmonton when I visited it Saturday afternoon. You must be aware that the arrangements there are not such as should be in existence in connection with any properly conducted store. There are no proper counters or office facilities for the Vendor and his staff to perform their duties and keep the accounts of the office. Besides that, the arrangement is such that there is apparently no way of shutting the public out of that portion of the store where the supplies of liquor are kept. I found people other than employees wandering about the place when I was there, and you yourself were present. These people had access to bottles of liquor if they cared to avail themselves of it, and I am surprised that you have not had this store arranged in a proper manner for conducting business, as you appear to have either the authority or have assumed all the authority up to the present for the conduct of the two vendors' stores.

"I have asked the Auditor this morning to make a complete audit of your books and check the stock. I have also asked the Deputy Minister of Public Works to at once put in carpenters to establish proper office facilities in the front of that store and to make arrangements so that the public may be shut out from having access to the supply of liquor.

"You are directed to furnish to the Deputy Attorney General at once a statement of all liquor which you have purchased for the Vendors' stores and now on hand, either at the stores or elsewhere; also a full statement of the liquor that is now on order and full particulars as to who this liquor has been purchased from and prices of same, as well as conditions of purchase.

"In future no orders will be given for liquor until the same have been presented to the Deputy Attorney General and approved by him.

"I have the honour to be, Sir

"Your obedient servant,

"Attorney General."

"Edmonton, Alberta, November 4, 1918.

"F. G. Forster, Esq.,
"Chief License Inspector,
"Edmonton.

"Dear Sir:

"I was surprised to learn that you had a man, whose name I think is Mr. Teviotdale, employed without the knowledge of the Deputy Attorney General or any person in this Department so far as I am aware, to dilute liquors in the Edmonton Vendor's store. I gave you instructions on Saturday that this should not be permitted in the store and I trust that they were carried out.

"I have the honour to be, Sir,

"Your obedient servant,

"Attorney General."

"Edmonton, Alberta, November 4, 1918.

"F. G. Forster, Esq.,
"Chief License Inspector,
"Edmonton.

"Dear Sir:

"I cannot agree with your contention that liquors in the vendors' stores should be diluted with distilled water or reduced by any process. This practice must immediately be stopped. In future all liquor of every kind, including alcohol, will be sold to the parties entitled by law to receive it from the vendors' stores in exactly the condition it is received, without dilution or reduction of any kind whatsoever.

"I have the honour to be, Sir,

"Your obedient servant,

"Attorney General."

"Edmonton, November 5th, 1918.

"Dear Sir:

Re Mr. Teviotdale,

"I am quite at a loss to understand the necessity of sending your letter of the fourth instant after you had, on Friday night, given me definite instructions which I had carried out as you

requested; and in which letter you express surprise at Mr. Teviotdale's 'employment without knowledge of the Deputy Attorney General, etc., etc.'

"I beg to inform you that so far as I am aware Mr. Teviotdale is not now, nor has he been, in the employment of the Department or the Government.

"Such services as he has rendered have been at my request, as a personal favour, to help me out in work which had grown to such an extent that it was, and is, humanly impossible for me or for any one man to do the work—more especially now since the epidemic influenza has broken out and made such an extraordinary demand for liquors.

"I did not seek Mr. Teviotdale's services until after such time as I had spoken in turn to Mr. Stewart, Premier, Mr. Mitchell and yourself explaining the position and the growth of the business, and asking each in turn for the help that was absolutely necessary in order to carry on my end of the work efficiently and satisfactorily. These reasonable requests up to this time have met with no response, from you or the other ministers. The latter, I know, as a matter of procedure, would leave the question up to you.

"As a matter of fact, even with his help, I have had to work, for some time past, every Sunday and holiday and many nights in order to keep the work anywhere near up to date. I look upon the business as one, which, in the interests of the Government, must be kept correct, clean and up to date.

"I think I explained most of these things to you fully on Friday night and noted your request that Teviotdale 'be not around on Monday morning.' I beg to advise you that I have carried out your instructions of Friday night in this regard. I have not seen him on the premises since Monday A.M., and I am sure that when he knows that his kindly and solicited assistance, furnished entirely gratis, and as a favour to me and the Department, has been so deeply appreciated, that he will not care to make his presence obnoxious to anyone. As for 'this man not being permitted in the store,' I beg to advise you that I have no power under the Act, nor is there any power under the Act, to keep him out if he himself considers that he has business there—the same as any other citizen of Alberta. I do not think, however, that you will ever again find him there, or have occasion to draw my attention to his presence.

"I also beg to advise you, as I did in conversation on Friday night, that Mr. Teviotdale was never on the premises to my knowledge except in my company, and that he never did any work of any kind at any time, except as instructed by me, and on my direct orders and in my presence, and most of the time assisting me—working together.

"I have known Mr. Teviotdale for a number of years and I never found him in any way dishonourable. I know of nothing against the man's character, and I would certainly be one of the last men in the employ of the Government to bring into the employment or the service of the Government, a man whose reputation or methods were questionable.

"This full explanation in writing, supplementing as it does my personal explanations to you, and my carrying out of your instructions in the matter, should meet your wishes fully, and it should, I hope, draw your attention again to the conditions which exist with regard to the Government's position in the matter of furnishing sufficient and proper help to man and carry on a growing business in a clean and satisfactory manner, and in a way which might reflect credit upon the Department and the Government. Things have not been in that condition for the past three or four months, although I have properly drawn the matter to your attention, and to the attention of others as cited above.

"If there has been anything wrong or at fault with my asking for and accepting the gratis services of Mr. Teviotdale—and I regret very much that it has been considered an offence—kindly permit me again to remind you that the circumstances contributory to the fault have been entirely in your hands for some time past, and are attributable solely and only to the fact that suitable assistance has not been provided, and which for some time past has been positively and absolutely necessary. My office staff has been stripped, stripped and pruned from seven or eight employees a couple of years ago, until the last three months I have not even had a stenographer and the business letters going out of this office all over Canada, are written in lead pencil and a carbon copy kept—a perfect disgrace for a respectable government.

"The conditions are absolutely rotten, and will end in disgrace for your Department if they are not quickly and sensibly remedied. It is no credit to anyone connected with the Department that things should be allowed to drift along as they have, more especially as the matter has been frequently drawn to the attention of the proper parties.

"I have gone into this matter very fully, as I considered that when you took the trouble to emphasize your verbal instructions by letter, that probably a letter of explanation would be the proper method of reply, and would become a matter of record, and clear up any existing doubts, and probably result in some sensible action which would be beneficial to your Department and to the Government.

"Believe me, Sir,

"Your obedient servant,

"F. G. FORSTER,

"Chief Inspector."

Hon. J. R. Boyle,

"Attorney-General, Alberta,

"Edmonton, Alberta."

“Edmonton, November 5th, 1918.

“Sir:

Re Vendor's Premises, etc., etc.

“Acknowledging receipt of your letter of the 4th inst., I wish to state as an old employee of the Government, who came on the work by request, and who has faithfully and cleanly and loyally served the Government, that I felt the distrust, suspicion and general tone of the letter very keenly. I have never in my life received a similar letter. I regretted very much to receive it, and consider on reflection, that about a lot of things connected with your Department, you are not in possession of actual facts and correct information, and are not seeking them in the right places; and that such information as your letter would lead me to assume you are getting and in possession of, is apparently the result of both ignorance and prejudice, or both, and in some quarters is prompted by pure greed, and the fact that I won't share it.

“You will, Honourable Sir, I am sure, quite understand that after receipt of the letter referred to, that it would be quite impossible for me to remain in the service of your Department any longer than it takes to make a clean adjustment of the affairs connected with my work. You will also understand that after the rotten conditions which have existed for the past few months, that I will be very happy and relieved to part company with this particular position and get away.

“Be that as it may, I consider it my duty to answer the different points raised.

“VENDOR'S PREMISES. There is no way in which I will accept responsibility for that portion of the business conducted by the Edmonton Vendor. His part of the premises have always been filthy and more like a pig pen than a store. When the business first opened I carried a key and had access to this portion of the buildings. Some two years ago the Vendor put a Yale lock on the door. I asked him for a key. He refused to give it to me. The Minister was away at the time. I spoke to the Acting Minister about the matter and at my request he wrote the Vendor a letter, asking him for the key. He gave me the letter, but at the same time he advised me not to use it, and that I would be better off and free from responsibility if I did not have a key to that portion of the premises. I did not present the letter to the Vendor, and have not had for two years access to that part of the premises, except during the time the Vendor was upon the premises. He has run that end of the business entirely—as he should. There is no occasion why he should not have what equipment the business needs—which up until a few months ago had been very little—the Vendor's personal business being larger, in my opinion, than the Government's business. Some weeks ago the Vendor had my permission to get a counter or what was necessary. I have found it a safe practice not to mix up or interfere in any way with this Vendor's work or premises. I have repeatedly talked to both the Vendor and his assistant about customers being in the liquor room. They are there simply because he has allowed it to become a custom—the trouble and the responsibility are entirely his and should not be laid at my door. Most men in his position would not allow it.

“Another thing in connection with this branch of the business. I have never sold an ounce of liquor except through the Vendor. I simply give him stocks of liquors from time to time and accept his receipt for them, and he, under the Act, is the salesman. I have nothing to do with that part of the work. I have never handled any cash in connection with the business. Everything has been paid by cheque, and this system makes as near perfect as it is possible to get it. The Act does not permit the Vendor to buy liquors—only to sell them, and in this respect I think the framers of the Act had a kind of God-given insight into the class of men who might from time to time be selected for the post of Vendor.

“I have assumed no authority in the conduct of the business which is not given me by Order-in-Council, and which has not been consistent with safe conduct of the Government's business, for which I am bonded and held responsible. I don't believe in farming out my responsibility to others, and have never thought it good business to let things drift with the class of men who have from time to time been given me in this service, and in whose appointment or selection I have never been consulted—although to a certain extent I have been held responsible for their work and actions. I have many reasons to know that my line of action in this respect has been correct.

“Regarding furnishing the Deputy Attorney General a statement of liquors purchased for the stores. Between the account file, the ledger, the bank cheques, and the bank books, and the bank's records—there are at least five different and distinct records of every purchase of liquors or any other expenditure which has taken place. These books and papers are open at any time to the Deputy Minister, the Auditors, or any one who desires to see them. This should be sufficient without the preparation of a statement. I have no help or no stenographer at present and have not the time to prepare the statement asked for.

“I have no knowledge of the Deputy Attorney General ever being in my office or in the stores, and I don't understand how he can be in a position to give you any advice. As a matter of fact, any information or advice he could give you would not be first-hand and could only be superficial for the reason that he has never taken the trouble to inform himself, much less be in a position to inform you or advise you. Look at that statement of fact from the right angle, and you can see where the bulk of the trouble in the Department comes from. It is an absolute impossibility for any man to speak advisedly of that of which he knows nothing and of which he has not taken the trouble to study or inform himself.

“A statement of liquors on hand and under order will be furnished you as soon as I can get the time to write it out.

"I note what you say about the audit of my books. That is what I desire and myself asked the Auditor yesterday morning at 9 o'clock—some time before you made the suggestion. Probably when he has my request and your instructions he will do the work promptly. It may be interesting to you to know that on Monday, the 7th of October, I called the Chief Auditor to my office and showed him numerous discrepancies in the accounts of the local Vendor—all in the Vendor's own written records, and a system of accounting, manipulation and covering up one day's sales with moneys received in other days, that should be tolerated in no business or branch of the service. I told the Auditor that I had called him in as a measure of protection to myself, as I considered that such conduct of the business could only lead to a scandal sooner or later.

"Regarding the last paragraph of your letter I do not expect that I shall be called upon to carry it out. There is a fair stock of liquor on hand and considerable on order, and I hope that the Auditors will have checked up my part of the business and the liquor stocks, and that you will have relieved me of my present position long before it is necessary to have to put in practice a procedure which carries with it both an expression of lack of business capacity on my part and distrust on yours.

"It would be very humiliating for a man of my brains and business experience to have to peddle every little detail in connection with purchases of stock, etc., to your Deputy. No man of business ability, integrity and loyalty, knowing the conditions as I do, could tolerate a position circumscribed within such narrow and fiddling little restrictions.

"Under the conditions which are existing at present, I have no desire whatever to continue in the service longer than it will take the Auditors to go over my books.

"You will understand fully that I repudiate entirely and refuse absolutely to accept in any way whatever responsibility for shortage in the Edmonton Vendor's accounts, or for the condition of the Vendor's records or business at Edmonton.

"I have been very close to things in the business, and as I told you on Friday night, I came to the Government service clean, have conducted all my work at all times clean—and I now desire to get out clean. My own opinion is that things are getting so dirty that I am sensible and well advised when I ask to be relieved before any of the dirt, either directly or by imputation, attaches to me.

"Consequently, I consider a couple of typewritten lines from you is sufficient for the purpose. Then the matter is, so far as I am concerned, closed, and when I say closed, I mean closed.

"I hope you will see this matter in the same light as I do, and let me pass out, after my books are audited, in a quiet, dignified and gentlemanly manner, and not make it necessary for me to fight to protect my good name and reputation. A few days ago in conversation with you I offered to retire if you wanted to make any change. At that time you apparently did not wish it. Now that I ask for dismissal, I think it should come freely. I will be very happy to be free of the connection and with courteous treatment will ever remain a friend of the Government.

"I will give my successor all the assistance I can render in starting him up in the work right and in making the post easy for him to understand and fill.

"During the epidemic influenza I will render any assistance I can in any way towards the business and the work connected with it.

"Believe me, Honourable Sir,

"Your obedient servant,

"(Sgd.)

F. G. FORSTER,

"Chief Inspector."

Hon. J. R. Boyle,

"Attorney-General, Alberta,

"Edmonton, Alberta."

"Edmonton, November 5th, 1918.

Sir,

Re Dilution of Liquors by Distilled Water.

"Replying to your letter of November 4th, I note what you say there. I don't think you can understand this matter or that you are fully or correctly informed. There has been nothing done in this respect that has not been quite open and within the knowledge of the Minister, the Deputy Minister, the Auditors, the purchasing public, and everybody concerned.

"I know of no bottled liquors which I sold or have been sold in Canada or elsewhere at proof strength. All Scotch liquors are admitted and pay duty at 15 under proof. Practically all liquors are sold at from 15 to 30 under proof. The British Government standard is from 25 to 30 under proof. This year as a war economy, it is 30 under proof. Most liquor users would consider a drink of proof strength liquor distasteful, dangerous, and obnoxious, because its strength would make it offensive to the taste, and dangerous to a person with a weak heart. Brandies are all imported at proof strength or over. The duty collected on bulk goods is based upon proof strength. To purchase bulk liquors reduced to the regular 20 to 25 under proof, would simply mean the paying of freight on distilled water, which has never been considered a very good business proposition, when distilled water could be purchased locally. It would also mean the paying for distilled water at brandy or Scotch prices—now \$9.25 per gallon in Montreal.

"I believe your instructions in this matter will lead to abuses and dangers that you have not considered or thought of, and that you are apparently lacking in a correct or studied under-

"standing of the matter; but I feel that your orders are imperative, and I will, during the short time that I will be upon the work, feel that it is necessary to carry them out.

"I believe the change will give the unscrupulous druggist—and we have some of them with us—a great opportunity for rascality, and will place the respectable druggist in a position of real danger.

"The instructions, however, minimize to a great extent the work I considered advisable and necessary, and in the interests of the business, the public and the Department. Your instructions also remove what has all along been one of the best safeguards of the business—both in the interests of the public, the Government employee, and the Government.

"There is the gravest danger in giving the public proof and over proof strength liquors, and this, my letter to you, is notification in ample time of the repudiation by me of any responsibility for anything which may happen through carrying out your orders.

"I also beg of you to get proper information upon this point and not make an unnecessary blunder.

"Believe me, Sir,

"Your obedient servant,

"F. G. FORSTER,

"Chief Inspector.

"P.S.—All alcohols have always been sold at the 65 over proof strength as imported—but alcohol is not used for drinking purposes, and only after dilution or mixture with drugs by the druggist.

"Hon. J. R. Boyle,

"Attorney-General, Alberta."

"Edmonton, Alberta.

"November 6, 1918.

"F. G. Forster, Esq.,
"11021 89th Ave.,
"Edmonton.

"Dear Sir,

"I am in receipt of your communications of the 5th instant, making explanations with respect to the liquor stores, and beg to say that you are quite mistaken in thinking that you made any representations to me as to assistance you required in the warehouse or Vendors' stores until I sent for you on Friday evening last, and at that time you will recall that I told you to get all the assistance you required, and you were unable to state that you could get any person, and you will recall that I made arrangements myself to send help to the Vendor's store. I have inquired from the Deputy Attorney General and he states that you at no time asked him for help for warehouse purposes, but you did ask him for assistance in your office, which he tells me he thought you did not require. This, he states, was before the influenza epidemic came along. However, the representations as to your being short of help did not come to me until Friday last, when it was immediately remedied in so far as was possible.

"Your resignation has been accepted by the Government.

"I have the honour to be, Sir,

"Your obedient servant,

"Attorney General."

"Edmonton, November 7th, 1918.

"Sir,

Re Dr. Ferguson, Hughenden.

"Regarding your phone message of this morning re Dr. Ferguson, of Hughenden, I beg to state that if the brandy he received was sent him in an original sealed jar, then I am prepared to swear that that brandy stood at from 23 to 25 under proof—or several points higher than the British standard for such goods this year, which should be first-class liquor and good enough. But, acting under your instructions, I have been turning over brandy in barrels to the Vendor for sale, and as there are several men engaged in the Vendor's store, it would be quite impossible for me to know what condition the brandy was in when sent away from the Vendor's store. Further—that if it was drawn off from bulk goods into a jar, and a cork driven in, and the jar sent away unsealed, there is no reason why part of the contents might not have been removed between here and Hughenden and water substituted.

"This incident simply bears out my contention to you in a letter of a day or two ago, that your instructions in this matter have removed from the business its chief safeguard to the public and all concerned.

"I do not wish to be associated in any way with these complaints under circumstances over which I have no longer any control. During the first two years and four months of the history of the business, complaints regarding treatment, quality of liquors, or measurement of liquors, were practically nil; in fact, there was very general satisfaction.

"Believe me, Honourable Sir,

"Your obedient servant,

"(Sgd.)

F. G. FORSTER,

"Chief Inspector.

"Hon. J. R. Boyle,

"Attorney-General, Alberta,

"Edmonton, Alberta."

"Edmonton, November 7th, 1918.

"Sir,
"I beg to acknowledge receipt of your letter of November 6th accepting my resignation on behalf of the Government. Kindly accept my thanks for this consideration.

"In your communication you make the following statement:

" 'You are quite mistaken in thinking that you made any representations to me
" 'as to assistance you required in the warehouse or Vendor's stores until I sent for you
" 'on Friday evening last, etc.'

"This is a plain mis-statement of the facts by you, and I am quite surprised to receive it from you. Probably when I draw your attention and memory to some incidents connected with a former interview, you will remember the circumstances.

"Within a few weeks after you assumed the duties of Attorney General, I had a half-hour's talk with you about these matters and brought them to your attention at that time. I waited in your outer office for over an hour before I saw you. I then spoke to the Hon. G. P. Smith, Mr. Nicholson and others. Mr. Nicholson saw you just prior to my admission. If any direct proof was necessary to remind you of the interview, it is of record in the fact that we discussed, among other things, the help in the Vendor's store in the person of Murdock Munroe, and subsequently you signed a recommendation for his appointment and his pay from June 1st to October 1st. I laid before you the rapid growth of the business and the general necessity for help. You left the office with me to meet Hon. G. P. Smith, and accompany him to the McDonald Hotel to some luncheon at the noon hour that day. These facts may serve to refreshen your memory and give you an opportunity to recall the above statement, which as a matter of fact is quite incorrect—to say the least of it.

"You sent me help on last Saturday. You know the incident which took place on Sunday afternoon. It was a mistake which should not have occurred, and as the young man was very sorry for its occurrence, and I do not really think understood what he was doing, I have made no further comment but have given his explanation consideration along with the facts as reported from other sources. So far as I am concerned, I have nothing more to say to him or you about the incident.

"As I pointed out to you in a former letter, the Deputy Attorney-General would have no idea of the requirements about my office, the warehouse, or the Vendor's store, for as I said before, he has never to my knowledge visited any of these places, and of course, would be quite ignorant of conditions. Some months ago, at the suggestion of one of the Ministers, I went to the Deputy and asked him to accompany me to the store and warehouse here and go over things with me, offering to drive him up in my car, but he never came. If he had done so, it is most probable that things would have been running smoothly now, instead of the present conditions. If there is any doubt about this fact, I think it can be borne out by the Minister.

"I venture the prediction that very soon you will have three men doing the work I have been doing alone for some time.

"I have never discussed appointments in my branch of the work, during my service, with the Deputies. I have always considered this a matter for discussion direct with the Minister.

"For reasons which are very obvious and plain from the above, you can no doubt gather that I am pleased with your dismissal of me, and that I am very happy indeed to be free from the connection, and after laying copies of this correspondence before the Premier, I am ready to depart as soon as relieved of the work of the office.

"I am,

"Yours truly,

"(Sgd.) F. G. FORSTER.

"Hon. J. R. Boyle,
"Attorney-General, Alberta,
"Edmonton, Alberta."

"Edmonton, November 7th, 1918.

"Sir,
"I am enclosing herewith a statement of the liquors on hand in Edmonton at this date. I am also enclosing herewith a list of the liquors on order and on the way.

"With reference to the ordering of liquors, I received from the Deputy Attorney-General a letter dated Oct. 1st, 1918, as follows:

" 'I am today asked by the Minister to instruct you not to make any further purchases of liquor without first consulting him.'

"As I was unable to see you until the 30th of October, I was not in a position to order forward any shipments of liquors during these thirty days. Had I not had a partly-filled contract for twenty-five barrels, of alcohol, coming forward a few barrels each ten days from Winnipeg, we should have been out of alcohol by the middle of October.

"On November 1st the Dominion Government closed the distillery bond houses in Winnipeg, consequently it is necessary in future to order direct from the distilleries. This applies to alcohol and Canadian-made whiskeys and gins, and it will necessitate a different method of doing business.

"Regarding the 800 cases and 20 barrels of Scotch from Alexander & Macdonald, Leith, Scotland. On account of freight rates, submarines, high ocean insurance, etc., this shipment,

"while accepted for delivery by the C.P.R. at Glasgow, Scotland, is sent forward by two different boats, one-half of the quantity in each shipment. Four hundred cases and ten barrels were reported through the port of Montreal, by the Customs Office, last week, and are coming through in bond to Edmonton. There is no word of the second part of the shipment. The amount of Scotch whisky allotted to the British distillers for export shipment in 1918 by the British Government was exhausted on October 1st, consequently it would be impossible to get any further Scotch whisky shipments this year. Mr. Teviotdale is Western Canadian Agent for Alexander & Macdonald, Leith, Scotland. The manager of the firm is Mr. J. C. Calder, who during the war had been Timber and Wood Controller for Great Britain, a very important post. While I don't think there will be any doubt as to the second part of the shipment coming through to us, still Mr. Teviotdale could not be much faulted if he diverted this shipment to Montreal dealers in a feeling of resentment for recent treatment he has received. By doing this he could make between \$5,000 and \$6,000, plus the freight from Montreal to Edmonton. Personally I don't think he would do it, but I consider it proper to advise you of the conditions connected with this shipment. These are practically the only shipments of Scotch liquors coming from Scotland to Canada for some months, and it appears to be fairly well known that they are coming through, for while in Calgary two weeks ago I was offered \$15,000 to turn these shipments over to Calgary people for shipment and sale in Montana, where the stuff would no doubt retail at \$50.00 to \$60.00 a case. The offer, of course, was flatly refused.

"I considered that we could get past a critical time with careful handling and sensible distribution, but since your orders of last Saturday, my opinion has changed, and I think we will be very lucky if we do not get right up against it. This condition, of course, could have been obviated to some extent, had the usual orders been placed during October month. Even yet I consider it would be sensible and advisable to modify your orders to give the local druggists all the liquor they want. I do not consider that one-fifth of the liquors going out locally are being used within the meaning of the Liquor Act.

"The orders to discontinue the use of distilled water for reducing the proof strength of liquors, of course, make the situation much more acute. For instance, I have in bond a barrel of Sheriff's Scotch liquor which stood at 110 or ten over proof.

"Reduced to the proper strength for commercial purposes—say 22 under proof—this 38 gallon cask would make upwards to 50 gallons of first-class liquor, 8 points stronger than the British standard for Scotch liquors this year, and would go that much further in meeting demands for liquor, and would not be dangerous to sell. At its present strength this liquor, used as it is at present, would be a positive danger.

"The retail value of the liquors coming forward, as itemized above, based on our present price list, is \$68,500.

"The liquor sales for the Calgary store for the month of October totalled over \$16,000. I think sales in the Edmonton store will also reach that figure, but I have no return from the Edmonton Vendor for close on two weeks, and of course do not know what his sales have been, or what moneys he has deposited in the bank, or what condition that part of his work is in. This is a condition I advise you that should not exist, or be allowed to continue.

"Yours truly,

"(Sgd.) F. G. FORSTER.

"Hon. J. R. Boyle,
"Attorney-General, Alberta,
"Edmonton, Alberta."

"Edmonton, November 7, 1918.

"A stock-taking made by Mr. Thompson and myself on Sunday, November 3rd, 1918, showed liquors in warehouse to the value of \$12,900.00—these figures based on cost prices. There was also at the same time in bond liquors to the value of approximately \$11,000.00.

"Last night, Nov. 6th, 1918, a stock-taking was made by the Auditors and a copy of this was to have been ready today, but has not yet come to hand. On receipt of same a copy will be mailed to you.

"F. G. FORSTER."

"Edmonton, November 7th, 1918.

"SCOTCH.—By ocean freight from Leith, Scotland.—300 cases Alexander & Macdonald Special Liquor, 20-year-old; 500 cases Sandy Macdonald Scotch, 10 years old; 20 quarter casks Sandy Macdonald, 10 years old.

"BRANDY.—By express from Montreal.—50 cases for Edmonton; 25 cases for Calgary.

"By freight from Montreal.—5 quarter casks for Edmonton; 5 quarter casks for Calgary.

"RUM.—By freight from Montreal.—1 quarter cask for Edmonton; 1 quarter cask for Calgary.

"ALCOHOL.—By freight from Saskatoon.—9 barrels 65 over proof.

"By freight from Winnipeg.—4 barrels 65 over proof for Edmonton (shipped Oct. 30th); 3 barrels 65 over proof for Calgary (shipped Oct. 30th).

"By freight from Walkerville, Ont.—10 barrels 65 over proof for Edmonton; 10 barrels 65 over proof for Calgary.

"RYE WHISKEY.—By freight from Winnipeg.—2 barrels Ordinary Rye to Edmonton

(shipped October 30th); 2 barrels Ordinary Rye to Calgary (shipped October 30th); 3 barrels Rye to Edmonton; 3 barrels Rye to Calgary; 2 half-barrels Special Rye to Edmonton; 2 half-barrels Special Rye to Calgary.

"By freight from Walkerville, Ont.—3 barrels Special Rye to Edmonton; 3 barrels Special Rye to Calgary.

"By express from Winnipeg.—25 cases Corby's Majestic Rye to Calgary; 25 cases Corby's Special Selected to Calgary; 25 cases Corby's Majestic Rye to Edmonton; 25 cases Corby's Special Selected to Edmonton."

Edmonton, Alberta, November 13, 1918.

F. G. Forster, Esq.,
"11021 89th Ave.,
"Edmonton.

Dear Sir:

"I am in receipt of several letters of yours of recent date and notice that you are anxious to blame the condition in which your branch of the Department was found to be upon the Deputy Minister, the local liquor vendor and anybody else excepting yourself. The explanations which you now seem anxious to get on file would have been more convincing had you put them in writing before rather than after you were out of the service.

"I have the honour to be, Sir,

"Your obedient servant,

"Attorney General."

Hon. J. R. Boyle,
"Attorney-General, Alberta,
"Edmonton, Alberta.

"Edmonton, Alberta, November 25, 1918.

Dear Sir:

"I desire to acknowledge receipt of your letter of the 13th inst. I have noted very fully the contents of the letter.

"In reply I wish to state that heretofore in my dealings with ministers I have never found it necessary, or been called upon, to address a minister in writing upon departmental business—always a conversation or verbal instructions have been sufficient.

"The receipt by me of your three letters of the 4th inst., together with the reports coming to me from several sources, as being circulated by the member for St. Albert, in which he is reported to me by responsible parties as saying that my dismissal had been promised (and which matter I verbally reported to both you and your deputy)—placed the position of affairs in a much different light to me, hence the necessity to 'put them in writing' as a measure of protection to myself.

"Aside from that feature of the matter I wish to state that I have simply laid before you, as Minister, a plain recital of a few facts—just touched upon the fringe of things. If these few facts can be made to do the duties implied in your letter then I must say that your viewpoint is different from mine. If the facts put blame any place it will have to rest there. I rather regret that you have taken so superficial a view of the matter. It so happens, regardless of any correspondence incidental to my dismissal, there is plenty of correspondence on the files of the Department, for some months back, which goes to show the conditions in the local Vendor's Store. Some of the correspondence shows incidents and transactions contrary to the provisions of the Liquor Act, and these were properly brought to the attention of the Deputy and the Vendor as the files will show. Other correspondence with reference to this matter was brought to the attention of the chief auditor. At any rate you will find there is plenty of it there on file, if you care to look it up and probably then you would be able to ascertain where the blame attaches.

"Any 'explanations' I have made in writing to you have been for the sole purpose of putting you in possession of some facts which I think you as Minister should know. Of course, if you don't want them I at least should not be blamed for presenting them, which I have done in perfectly good faith.

"I think the files in the Department will amply bear out and justify any action I have felt called upon to take.

"If there was anything further required, in my mind, to completely justify my attitude towards the position which I until recently held, it was furnished on Friday afternoon, the 8th inst., when our mutual friend, the member for St. Albert, who is not a 'privileged person' within the meaning of the Liquor Act, purchased in the Vendor's Store some \$400.00 worth of liquors, and, after delivery being refused without payment by one employee, he was allowed to remove the liquor from the store without payment. I think the transaction involves two infractions of the Liquor Act. I happened to be in the store at the time with two auditors, turning over the stocks to my successor in office. A person would have to be both lacking in personal honour, and recreant to the duties of office, to condone and palliate the doing of Government business along such lines. At least that is my opinion, and because of that opinion largely, I find myself out of a position at present. I am,

"Yours truly,

"F. G. Forster."

"Edmonton, Alberta, November 28, 1918.

"F. G. Forster, Esq.,
"11021 89th Ave.,
"Edmonton.

"Dear Sir:

"In the absence of Hon. J. R. Boyle, I beg to acknowledge receipt of your favour of 25th
"inst., which will be brought to the attention of Mr. Boyle upon his return to the city.

"Yours truly,
"Secretary."

THE CHAIRMAN: There was a letter you spoke about from Scott to Daley. That was produced here and it was put in as an exhibit at the first meeting we held here.

MR. MACKAY: Is that the letter that was spoken of publicly as being off the file? Is that the letter you refer to?

MR. EWING: It may be. The fact is, he spoke of a letter in a newspaper interview.

MR. MACKAY: Who did?

MR. EWING: Mr. Scott. He said he wrote a letter to the Minister of Agriculture. My impression was it was much later. This, however, may be the letter.

MR. MACKAY: What I want to make clear is, I understand the letter Mr. Craig was asked to look for is the letter that was in the hands of this Committee?

MR. EWING: It may be. I am told that was the letter we all supposed was missing but it was in the hands of this Committee all the time.

THE CHAIRMAN: That clears that up, then?

MR. EWING: Yes.

MR. WEIR: He said he wrote a letter about a year ago.

MR. MACKAY: Well, it would be three months out.

PAUL J. WIPF, called and after having affirmed, testified as follows:

MR. EWING: You, I believe, headed a deputation of your people who immigrated to this country? A.—Am I head—no.

Q.—You were among those who came to this country first? A.—Yes.

Q.—The delegates came ahead of the others, did they not? A.—Yes.

Q.—Where did they come when they came to this country? A.—Well, we came to Edmonton first.

Q.—How many were in the party? A.—There were six in the party.

Q.—How did you first happen to come up here? Why did you come to Edmonton? A.—Why, we did not want to come until the Government knew it.

Q.—What? A.—We wanted the Government to know we were looking for land.

Q.—And you came up here to see the Government, did you? A.—In some way, yes.

Q.—Did you interview the Government? A.—Gentlemen, I could not tell you who there was. There was some gentleman that we were brought before.

Q.—Do you know the names of the men? A.—No, I do not.

Q.—Would you know them if you saw them again? A.—I do not think so.

Q.—Did you see any of the ministers? Do you know what we mean by a Minister of the Government? A.—Yes, sir. I do not know who they were because I was the last one in the party.

Q.—Did you see a member of the Government? A.—I think we did.

Q.—What member of the Government? What is his name? A.—I could not give you his name.

Q.—Do you know what Department he presided over—the Minister whom you saw? A.—It was upstairs in the room some place.

MR. MACKAY: I think you will find out if you get the conversation. There is nothing to hold back. The conversation will develop it, I fancy.

MR. EWING: What conversation did you have with the official whom you saw? A.—Why he wanted to explain to them that we wanted to emigrate to this country and settle here. And then we wanted to know whether we as Mennonites would be exempted from military duties, and whether they would want us here or not.

Q.—And what happened? Just tell us that again. You say you asked them whether you would be exempted from Military Duty? A.—Yes.

Q.—Whether they wanted you here or not? A.—Yes.

Q.—Did you ask for anything else? A.—Not as I know of just now.

Q.—You cannot recall anything else? A.—No.

Q.—Did you ask anything about the use of your language in your schools? A.—We did talk with the Minister of Education.

Q.—You went to him later? A.—Yes, and asked him for information about the school laws here.

Q.—And did you make any request about the use of your language here? A.—No, we did not.

Q.—You did not mention that at all. When you asked whether they wanted you here or

not, what reply did you get? A.—I could not state this because our head man was the leader at that time, but anyway he did not say anything much after we left here.

Q.—But you were there at the time, weren't you? A.—I was there—yes.

Q.—You heard your head man ask whether they wanted you here or not, didn't you? A.—When we left we thought they did not have any objection.

Q.—That is, you thought they did not have any objection to your coming here? A.—Yes.

Q.—But do you remember what was said when your leader put that question to the official to whom you were speaking? A.—No, I do not.

Q.—You do not remember that? A.—No, sir.

Q.—But you left with the impression that there was no objection to your coming here? A.—Yes, sir.

Q.—Then you went round to see the Minister of Education, did you? A.—Yes, Mr.—was his name Smith?

Q.—Mr. Smith is now Minister of Education, but he was not at that time. A.—He was not.

Q.—Did you see Mr. Smith or Mr. Boyle? Do you know either of them? A.—I do not know.

Q.—But you went around to the Department of Education, did you? A.—No, we did not go out of the room. We stayed right in the room.

Q.—And they sent for these? A.—I don't know who he was.

Q.—Who was? A.—The Minister of Education.

Q.—Did you talk about education to some other man—about your schools? A.—We talked to one man—yes.

Q.—Was he the same man that you talked to about whether they wanted you here or not? A.—I don't think so.

Q.—Where did this new man who talked about schools come from? Did you see him at the same time or in the same room? A.—I think so.

Q.—You would know the man if you saw him, would you? A.—No.

Q.—By the way, you had a teacher with you, hadn't you—one of your own teachers? A.—He used to be a teacher.

Q.—What was his name? A.—J. P. Enz.

Q.—And he was one of the delegation, was he? A.—Yes.

Q.—And I suppose he would deal with the education end of it—the school end of your negotiations, would he? A.—I do not understand.

Q.—Was it Mr. Enz who took up on behalf of the delegation the educational part of the discussion—the school portion of the discussion? A.—Well, that is pretty nearly a year back; I could not remember who had the talk there, but anyway they were all together there.

Q.—What took place with reference to schools? What did you say? A.—What do you mean by this?

Q.—You told me that you talked to another gentleman about schools? A.—Yes.

Q.—What did you say to him? A.—We asked him what the other schools were out here, how they were run here, in what way.

Q.—And did he tell you? A.—Yes.

Q.—How did he tell you they were run? A.—Just the way they are going now; the teacher has got to be with a certificate and the school inspector visits the schools and there is nothing but the English language taught. That is the way I understood it.

Q.—And what did your delegation say in reply to that? A.—Did not say anything.

Q.—Did you have any discussion about it? Did you talk about it? A.—Not that I know of.

Q.—You did not commonly use the English language in your schools? A.—We have the English schools going there now.

Q.—But I am speaking of where you came from? A.—In the States?

Q.—Yes? A.—Yes, the English language, yes, for nine months.

Q.—Before you came here? A.—Yes.

Q.—But before that you used your—

MR. MACKAY: Perhaps they mean nine months in the year? A.—We had English schools the same as we had ten months here.

MR. EWING: And then for the other two or three months you did not have a school at all? A.—No, not much of a school. They had a little German school, a religious school.

MR. MACKAY: That is in the States? A.—Yes.

MR. EWING: So that when you came here you were quite satisfied to have English schools. Is that right? A.—We have got to go under the Government laws.

Q.—But you were quite satisfied to do that? You did not want anything differently, did you? A.—We wanted to go just as far as we possibly could go, to go under this Dominion Government law, not to make any distinction.

Q.—That is, you wanted to live under the law here? A.—Yes, sir.

Q.—Who else did you see when you were up here? A.—Well, after we got through with it we went through the building and went in several offices, but who the gentlemen were we could not state. We just took a look through the buildings.

Q.—You made a tour of the building and looked over it? A.—Yes.

Q.—You went into several of the offices, did you? A.—Yes.

Q.—And then where did you go? A.—Went to the hotel.

Q.—When you left Edmonton did any official go with you—any official of the Government?
A.—Why, Scott was with us.

Q.—But he was not an official of the Government, was he? A.—No, sir.

Q.—Mr. Scott was not an official of the Government? A.—No.

Q.—That is Mr. Scott of Winnipeg you are referring to? A.—Yes.

Q.—You have not told me whether any official of the Government went with you when you left the building; when you left Edmonton? A.—Not any of them went with us at that time, but we met Mr. Daley at Calgary.

Q.—Mr. Daley accompanied you then around to several places, did he? A.—Yes.

Q.—Was he with you all the time? A.—No, off and on, sometimes he was with us a day or so.

Q.—He was helping you to buy land, was he? A.—No, he was not.

Q.—He was not helping you? A.—No, he was not helping us buy land.

Q.—Was anyone helping you buy land? A.—Well, at that time, yes, Connor tried to sell the High River land to us and Scott tried to sell us some land too.

Q.—This is Mr. Scott, of Winnipeg? A.—Yes.

Q.—Michael Scott? A.—Yes.

Q.—What business had you with Mr. Daley? What was he doing with you? A.—Just with us, that is all.

Q.—Wasn't he giving you information? Was he doing that? A.—What do you mean by that?

Q.—What was Mr. Daley doing with you at all? What was he there for? A.—He was with us for sometimes a day and sometimes he was not there three or four days and sometimes he was with us looking at the land, but he never tried to sell us anything.

Q.—He was with you quite often, was he? A.—I could not state just exactly. It has been so long I do not remember; there were so many different parties.

MR. MACKAY: You say there were six of you came up to these buildings here? A.—Yes.

Q.—And you started to tell us you wanted to know something about—you were then living in the States, were you? A.—Yes.

Q.—What state did you people come from? A.—South Dakota.

Q.—And you had some notion of coming to Canada, had you? A.—Yes, sir.

Q.—And had you been to the Ottawa Government before you came here or not? A.—Yes, sir.

Q.—Before? A.—Yes, before.

Q.—Had you had correspondence with the Ottawa Government, somebody on your behalf, I mean? A.—I believe our head had correspondence with them. I think so, but I cannot state.

Q.—You think he had before you left Dakota? A.—Yes, sir.

Q.—Who was the president? A.—David Hofer.

Q.—Do you know what the subject of the correspondence with the Ottawa Government was? A.—I could not state just exactly what it was.

Q.—You do not know whether it had anything to do with the Military Service here? A.—I could not say.

Q.—Were you under military service on the other side? A.—Yes, sir.

Q.—You were liable to be? A.—Yes, sir, liable to be.

Q.—And you don't know what the correspondence was your president had with the Ottawa Government before you came over? A.—No, sir.

Q.—Did you see any letter? A.—I did not.

Q.—You saw no letters at all? A.—No.

Q.—You were leaving it largely to somebody else, were you? A.—Leaving it to the president.

Q.—Who was the president? A.—David Hofer.

Q.—And you came up here to Edmonton? A.—Yes, sir.

Q.—And you came up to the buildings here? A.—Yes, sir.

Q.—Do you remember the names—Mr. Craig's name? A.—No, sir, I do not.

Q.—I suppose they were all strangers? Whoever you saw were strangers to you? A.—Yes, all strangers.

Q.—You saw somebody, evidently connected with the Government, and you wanted to know what about military service? A.—Yes, sir.

Q.—And do you remember the answer you got? A.—I do not.

Q.—Didn't you hear the conversation? A.—There was not very much conversation at that time.

Q.—Well, there was not very much at any time? A.—No.

Q.—Do you remember being told that the Military Service Act belonged to the Dominion Government and you would have to deal with the authorities there on that? A.—Now you mention it—yes, sir.

Q.—You were told the Military Service Act was a Dominion Government Act and you would have to deal with the Ottawa authorities? A.—Yes.

Q.—And that settled that? A.—Yes.

Q.—And then you took the subject of education up with somebody. You have told us that? A.—Yes.

Q.—And do you remember being told that we controlled education in the province? A.—Yes, sir.

Q.—And whoever you were talking to told you they could deal with you on that here? A.—Say this over again?

Q.—Perhaps I am going too fast. You were told clearly that so far as the Military Service Act was concerned the Government here did not control that—that Ottawa controlled that? A.—Yes.

Q.—And when it came to education you were told the government here controlled education? A.—Yes, sir.

Q.—And when you came to ask about education you were told there was only one set of schools and one set of laws here and they were all alike? A.—Yes.

Q.—And you were told you would have to come under the law in the ordinary way? A.—Yes.

Q.—And you were told the English language was the language of the schools here. A?—Yes.

Q.—And you would have to have English schools? A.—Yes.

Q.—And you would have to have regular certified teachers? A.—Yes.

Q.—And they were inspected by the inspectors? A.—Yes.

Q.—And you were told you could not have any special privileges with reference to schools? A.—Yes, sir.

Q.—You were plainly told that? A.—Yes.

Q.—And if you did not see any letter there would be no use showing you a letter from Ottawa. I have a letter here written from Ottawa, November 22nd, 1918, by W. Scott, Superintendent of Immigration. Did you ever see that? Just look it through and see? A.—(After reading letter): I did not read it before.

Q.—Did someone have that letter and read it to you or did you hear it read? A.—I could not state that.

Q.—But you knew, I suppose, that there was correspondence by your president or somebody else, to Ottawa? A.—Yes.

Q.—To see how you would be under the Military Service Act? A.—Yes.

Q.—You knew that? A.—Yes.

Q.—And so far as the people here were concerned they told you plainly that that was not theirs—that you would have to deal with Ottawa? A.—Yes.

Q.—And it was made quite clear to you, I suppose, with reference to education that if you came here you would come under the ordinary regular school system and you would get no privileges outside of that? A.—I understood that.

Q.—The schools were to be English? A.—Yes.

Q.—And the teachers were to have certificates in the ordinary way? A.—Yes.

Q.—And they told you the schools were inspected by the inspectors? A.—Yes.

Q.—And how the schools were run? A.—Yes.

Q.—And they told you you would have to come under them? A.—Yes.

Q.—As they were ordinarily run? A.—Yes.

Q.—And you did not ask anything more? A.—No.

Q.—And you cannot recall reading or hearing read or seeing a letter of November 22nd, 1918, from the Superintendent of Immigration. You cannot recall reading that letter? A.—No.

Q.—Do you remember a letter like that being talked over by your president among you? A.—There was some talk that they had some kind of a letter but I never did see it.

Q.—A letter from Ottawa? A.—Yes.

Q.—When was that talk that you people had a letter from Ottawa? A.—It was before we came up here.

Q.—Do you mean before you left Dakota? A.—Before we left Dakota.

Q.—You people had letters from Ottawa before you left Dakota? A.—Yes, sir, the first reputation.

Q.—Were there two deputations? A.—No; just the one.

Q.—I suppose what you wanted to get from Ottawa was the question whether you would be subject to Military Service if you came over here? A.—Yes.

Q.—And what satisfaction did you get on that? A.—Well, we thought we were under the Mennonites Act.

Q.—With reference to Canada? A.—Yes.

Q.—And you gathered from the correspondence from Ottawa that if you came over here you would not have to do military service, is that it? That you would come under the Act? A.—Well, I could not state that, either.

Q.—Well, what opinion did you have? In talking among yourselves when you had the correspondence from Ottawa with your president, or whoever it was, about whether you would have to do military service if you came here, what was the result? A.—We thought we would come under the same law as the Mennonites in Saskatchewan and all over, under the Dominion Government. We thought we would have the same right.

Q.—And what right was that? A.—Well, exempt from military service.

Q.—And, having settled that in your minds, you were ready to come over to this country everything else was satisfactory? A.—Yes.

Q.—When you thought you would not have to do military service you were ready to come to Canada? A.—Yes.

Q.—And then the next question of importance, apparently to you, was education? A.—Education.

Q.—And the educational system was explained to you as it is here? A.—Yes.

Q.—And you were satisfied to go under that? A.—Well, it is the only way we could do it we came here.

Q.—And you are under that Act now, are you? A.—Yes.

Q.—Are you in a school section? A.—Yes.

Q.—Are they forming a school section down where you are? A.—They have a school district.

Q.—And schools going? A.—Yes.

Q.—And an English teacher? A.—Yes.

Q.—The ordinary Alberta law? A.—Yes, sir.

Q.—And you have no special privileges of any kind, have you? A.—Not so far.

Q.—And you never were promised any? A.—Not that I know of. That is, outside of the Dominion laws.

Q.—Well, the Dominion law is the military service? A.—This is Provincial, excuse me. Maybe sometimes I answer a question that I really do not understand because I am not a very good scholar.

Q.—But you might be a good scholar and have that trouble too. I am speaking now of under the Province—education? A.—Yes.

Q.—You were up here? A.—Yes.

Q.—And you asked them about the schools? A.—Yes.

Q.—And, as you have said, you were told? A.—That is the way they were run here; the schools would only be run one way in this province.

Q.—And if you came in the schools would only be run in one way? A.—Yes.

Q.—Don't you think you would know the man who told you that if you saw him? A.—I do not. I was a stranger, just the first time in this town and there were a lot there.

Q.—But at all events you were clear that they did tell you the schools would only be run in one way? A.—Yes, sir.

Q.—Just as they were being run? A.—Yes, sir.

Q.—You have a teacher down there in your district? A.—Yes.

Q.—Teaching English? A.—Yes; Paul Rae is teaching it.

Q.—And running the school as they said they would be? A.—Yes, under the law, and the school inspector has visited it once.

Q.—You are not teaching German there, are you? A.—No.

Q.—In the States you had to have an English school for the regular nine months? A.—Yes.

Q.—And then if, during the three months, which would be partly holidays—I suppose you could teach some German? A.—Yes.

Q.—But in the regular year, even over there, you had to study English? It was an English school? A.—Nine months.

Q.—I take it that would be the regular year? A.—Yes.

Q.—And if you taught some German during the other three months, holiday, and so on, they let you do it? A.—Yes, they let us do it.

Q.—It was not very wild, after all?

MR. EWING: No; it was rather good.

MR. MACKAY: When were you over here? A.—It was in April. I do not know the date, about the middle of April last year.

Q.—Well, that letter is dated 1918. I fancy that is a mistake.

MR. EWING: When were you up here? What time of the year? A.—April.

Q.—Were you out here before that? A.—No.

Q.—Were you in Alberta before that? A.—No, sir.

Q.—But your people sent a delegation before that, did they not? A.—We sent a delegation up here it must be some fifteen or twenty years ago.

Q.—I am not speaking of that. I am speaking of 1917. Didn't you send a delegation up? A.—Not that I know of.

Q.—Well, wouldn't you know if there was one? A.—No.

Q.—You knew nothing about the delegation in 1917? A.—No.

Q.—Mr. Scott says (reading): "I represent here a large colony of people living in the United States who are looking for a site for colonization purposes and this month I spent several days with them travelling through your province." This letter is written on the twentieth of December, 1917. A.—That is unknown to me.

Q.—You know nothing about that? A.—No, sir.

Q.—You were only up here once? A.—Yes, sir.

Q.—Who were your committee? Just give us the names of your delegates who were up here with you. A.—David Hofer; he is the president.

Q.—Where is he now? A.—He is in the States.

Q.—Whereabouts? A.—South Dakota; Alexandria.

Q.—Who is the next man? A.—Christian Walner.

Q.—What is his address? A.—His address, Raley, Alta.

Q.—Who is the other one? A.—Elias Walter, Jr.
Q.—Where is he? A.—Macleod.
Q.—Living in Macleod, is he? A.—Yes, sir.
Q.—And who else? A.—Joseph Mandell.
Q.—Where is he? A.—He is in the States in South Dakota—Parkstone.
Q.—And was that all the delegates? A.—Yes.

JOHN PERRIE, recalled, further testified as follows:

THE CHAIRMAN: You have been sworn already, Mr. Perrie.

MR. EWING: You were with the North West Territories Government at Regina. When did you commence with them? A.—July, 1902.

Q.—And you were with them up until 1905 when the province of Alberta was formed? A.—Yes.

Q.—What practice was followed there with reference to holidays, in the Territorial Government?

MR. MACKAY: You mean in the Civil Service?

MR. EWING: Yes.

A.—In what way do you mean?

Q.—I speak of your own Department. Were holidays taken annually? A.—Annually, usually.

Q.—And how long? A.—Usually about three weeks for each year of service.

Q.—What position were you in there? A.—I was clerk in the Department.

Q.—And you took your holidays three weeks for each year of service? A.—About that.

Q.—Do you mean a man had three weeks holiday for each year of service? A.—Yes.

Q.—That is, if a man had been there ten years, he would get thirty weeks? A.—During each year they were usually allowed three weeks out of that year for holidays.

Q.—But not three weeks for each year of service?

MR. MACKAY: Every year he got three weeks.

A.—During each year of service.

Q.—You were not allowed three weeks for each year you actually served?

MR. MACKAY: It is how you interpret it.

MR. EWING: Let us understand each other. You were allowed three weeks during each year. Were you allowed the same during each year? A.—As far as I remember—yes.

Q.—Well, do you remember? A.—No, I do not remember whether I took those three weeks or not each year.

Q.—But that was the practice, anyway? A.—That was the practice.

Q.—By the way, were you allowed pay for the holidays you had down there? A.—Yes.

Q.—That is, your pay went on just the same? A.—Yes.

Q.—And then you came up to Alberta in 1905. What practice did you find here with regard to holidays? A.—The same practice.

Q.—The same practice? A.—Much the same, yes.

Q.—What position did you take when you came here in 1905? A.—I was working in the Department of Public Works.

Q.—In what capacity? A.—I was called Tax Commissioner. Shortly after I came here I was given that title.

Q.—And you continued to hold that position for how long? A.—Till the Department of Municipal Affairs was formed.

Q.—And then what position did you occupy? A.—Deputy Minister.

Q.—When was the Department of Municipal Affairs formed? A.—December, 1912.

Q.—And from 1905 to 1912 you were Tax Commissioner? A.—Excuse me; it was December, 1911.

Q.—And under what Department? A.—I did not get that question.

Q.—You were acting as Tax Commissioner from 1905 to 1911. Under what Department were you acting? A.—Under the Public Works Department.

Q.—Who was Minister during that time? You were under several Ministers? A.—Mr. Cushing, and I don't know exactly who succeeded him; Mr. Sifton was there; and I think there was someone else for a short time.

MR. MACKAY: Mitchell was in for a short time. A.—Yes.

MR. EWING: What was your practice with reference to holidays during that period? A.—I do not remember that I always took holidays each year.

Q.—But you were allowed the same three weeks? A.—That is, if I cared to take them.

Q.—Were they accumulative? If you did not take them each year, were you allowed to take them in succeeding years? A.—It was allowed in some cases, yes.

Q.—Was it a matter of practice? A.—It was allowed in quite a few cases; but most take their holidays each year.

Q.—But had you to get special permission or was it a practice which any employee could avail himself of? A.—Usually you had to get special permission.

Q.—And the same practice continued right down, I suppose, to the present time, as a matter of fact, has it? A.—Yes.

Q.—Does the same practice apply to Deputy Ministers and to all employees under the Deputy Minister in each Department? A.—As far as I know.

Q.—Did you take your holidays right along from 1912, down, each year? A.—No.

Q.—What years did you not take them? A.—I could not say offhand. I could look up that record. I know some of the years I did not take holidays.

Q.—What holidays did you take in 1918? A.—Four months' leave of absence in 1918.

Q.—And when did that four months' leave of absence commence? A.—The first of May.

Q.—The first of May, 1918? A.—Yes.

Q.—How did you come to take four months' leave of absence? A.—On account of my health.

Q.—Whom did you take the matter of your leave of absence up with? A.—The Minister.

Q.—The Minister of Municipalities? A.—Yes.

Q.—That is Mr. Gariepy? A.—Yes.

Q.—Did you speak to any other Minister about it? A.—You mean ask any Minister for them?

Q.—Yes. Did you discuss it with any other Minister? Did you discuss it with the Prime Minister? A.—I may have done so.

Q.—Well, did you? A.—Not particularly.

Q.—Well, without doing particularly, did you discuss it? A.—Well, I may have mentioned it to him that I was asking for them; I do not remember. I did not take it up with him and ask him specially for them.

Q.—Now, I want to ask you if your sole reason for getting—for asking for four months' leave of absence commencing the first of May, 1918, was your health? A.—My health, and I wanted to get a rest from the office work for a time.

Q.—Those were your only reasons? A.—Yes.

Q.—You had no other reason, directly or indirectly, in connection with it? A.—No.

Q.—There was nothing in your Department at that time that suggested to you that you might want to take four months' leave of absence? A.—No.

Q.—Everything in the Department was running in its ordinary way, but by reason of your health and by reason of your wanting a rest, and for that reason alone, you decided to ask for four months' leave of absence? Is that what you say? A.—Yes.

Q.—Was that the reason you gave to Mr. Gariepy? A.—Yes.

Q.—Did you discuss it with anyone else other than Mr. Gariepy? A.—No.

Q.—In 1917 were any accounts presented to you to be O.K.'d by you which you refused to O.K.? A.—Yes.

Q.—Can you specify any of them? A.—Not offhand. I can say this, though, that will probably make the matter clear, any personal accounts which came before me on account of services for which I had not given instructions were always referred to the person who gave those instructions for approval, before I passed them.

Q.—Who would be the person who gave those instructions? A.—It might be the Minister and at that time it might be the Wild Lands Commissioner.

Q.—Who was he? A.—Mr. Young.

Q.—Did you ever refuse to O.K. any accounts that were presented to you by Mr. Gariepy? A.—No, not if he said they were in order.

Q.—Well, did he ever present any accounts to you which he did not say were in order? A.—No.

Q.—Then, in effect, you O.K.'d every account that Mr. Gariepy presented to you? A.—If he said it was in order.

Q.—I am asking if he presented any accounts which he did not say were in order? A.—No; he never asked me to pass any account that he did not say was in order.

Q.—Then, in effect, you O.K.'d every account which was presented to you? A.—Yes.

Q.—Was there any difference between you and Mr. Gariepy as to any of these accounts? A.—Well, accounts may have been discussed between us.

Q.—Did you ever object to any accounts which were presented to you by Mr. Gariepy? A.—Not if he said they were in order.

Q.—And he did not say that any were not in order, did he? A.—Well, some accounts have been referred to him which I did not see again.

Q.—That is, that you had refused them? A.—Yes.

Q.—Do you know of any of these accounts? A.—I could not give you a statement of them. There was one in regard to a man named Lussier, I remember.

Q.—What was the matter with that account? A.—Well, I had no knowledge of what work he had been at.

Q.—So you refused to O.K. it, was that it? A.—Yes.

Q.—Did it ever come back to you to be O.K.'d, a second time? A.—There was one, I think, which did not come back to me.

Q.—I am asking if there was any that did come back to you? A.—Well, there might have been. I could not say at this date.

Q.—You cannot recall whether there were any of Mr. Lussier's accounts which you refused to O.K. which subsequently came back to you? A.—No, I do not—

Q.—You cannot recall that? A.—No.

Q.—You would not say there was or there was not? A.—No.

Q.—I am speaking of the accounts preceding the election of June, 1917, and which may have been in doubt on that account. I am asking you if Mr. Lussier's accounts were the only ones which you refused to O.K.? A.—Which I referred to the Minister?

Q.—Which you referred back—yes. A.—No, I do not think it.

Q.—What others did you refer back? A.—I could not give you a list.

Q.—Can you make a list? A.—No, I would not like to say that I could. By reference to the vouchers I might be able to give you—

Q.—Didn't you make a memo. when you refused to O.K. an account and referred it back? A.—A temporary memo.

Q.—Don't you make a memo. on the account itself? A.—Not always.

Q.—You do not follow any set practice in that respect? A.—No.

Q.—And don't you keep a memo. of any note you make? A.—No.

Q.—You have no practice at all with respect to that? A.—Well, a good deal of that was dealt with verbally.

Q.—By whom was it dealt with verbally? A.—Well, by the Minister.

Q.—Can you get me a list of accounts? Couldn't you make up a list of some of the accounts you called in question? A.—Might be able to give you some.

Q.—Did you discuss any of these accounts with the Prime Minister? A.—I have no recollection of having done so.

Q.—Did the Prime Minister discuss with you any of these accounts? A.—I have no recollection of him doing so.

Q.—Now, Mr. Perrie, have you any knowledge at any time, within the last three years we will say, of any money having been improperly taken from your Department or from the Provincial funds? A.—Well, how do you mean?

Q.—I mean any money taken that, in your judgment as an officer of that Department, should not have been taken? A.—You mean paid out on vouchers or taken from the cash box?

Q.—Yes, taken out in any way wrongfully? I don't mean taken out in the regular procedure of your Department. You necessarily pay out money in carrying on your Department. I am not speaking of that kind of payment out. I am speaking of irregular payments out or irregular withdrawals. A.—From the funds of the Department?

Q.—Yes, or from the funds of the province? A.—I have no knowledge of anything having gone out except in the regular way.

Q.—You have no knowledge of any moneys having gone from the Department or from the funds of the province, through the Department, in any way? A.—Except in the regular way.

Q.—Except in the regular course of business. I see. Did you know of a list of moneys whose propriety in some way was questioned for having been presented to the Prime Minister?

A.—A list of moneys paid out through the Department?

Q.—Yes? A.—No, I have no knowledge of such list.

Q.—You did not prepare any such list? A.—No.

Q.—Or did not present any such list to the Prime Minister? A.—No.

Q.—And you know of no such list having been prepared or presented? A.—I have no knowledge of such list.

MR. MACKAY: Is it Mr. Sifton you are referring to?

MR. EWING: I am speaking of the Prime Minister at that time. You will understand my question is inclusive of the Prime Minister at the time being, either Mr. Sifton or Mr. Stewart?

A.—No, I never saw any such list prepared.

Q.—And when I have spoken of the Prime Minister in all my previous questions I mean the Prime Minister acting at that time, either Mr. Sifton or Mr. Stewart? A.—I understood your question.

Q.—Who is your cashier in your Department? A.—Mr. Lee at the present time.

Q.—How long has he been there? A.—Acting cashier about two years, I think, now.

Q.—You, I suppose, do not keep track of his business at all, do you? A.—No; that is checked up by the auditor.

Q.—Do you know whether it has been the practice to cash cheques with the cashier of your Department? A.—Well, there has been some of that, I think, but it is not the general practice.

Q.—It has not been a general practice? A.—No.

Q.—How do you happen to know there has been some of it? A.—I have sometimes cashed a cheque myself there.

Q.—Do you know of anyone else doing that? A.—I could not cite you an instance. I know it has been done. I could not give you a particular instance of it.

Q.—When you speak of cashing yourself, do you mean cashed a cheque made out by you or a Government cheque in your favor? A.—Sometimes both.

Q.—Do you know any instance of cheques having been cashed there and the cheque being subsequently refused? A.—No, I do not.

Q.—Would you know if such a thing happened? I mean do you keep such a close watch upon that end of the Department that you would know if such a thing happened? A.—I think that would be reported to me if that happened.

Q.—You would have no knowledge of it? You do not check up at all? A.—No.

Q.—Advances to employees on account of salary were sometimes made, were they not? A.—Yes, they have been made.

Q.—That is quite the practice? A.—Yes.

Q.—That is, if an employee is hard up and has a little money coming to him, he can go there and get an advance? A.—A voucher is put through.

Q.—You oblige your employees in that way? A.—Yes.

Q.—As long as you do not endanger the province you accommodate your employees in that way? A.—Up to the amount of money that may be due them at that time.

Q.—That is a voucher, isn't it? (Produced.) A.—Yes.

Q.—I see it is dated the fifth January, 1917. Who O.K.'d that voucher? A.—Those are my initials and that is the Chief Clerk. Those are my initials.

Q.—Upon what principles do you act in O.K.'ing a voucher? Do you pass it as a matter of course if the Chief Clerk vouches for it? A.—Not always.

Q.—That is, you examine the items and see if they are proper items to be included in the voucher? A.—Yes.

Q.—You read French, do you? A.—No, I do not.

Q.—Whom did you get to read this for you? A.—I do not remember, offhand, who I got.

Q.—Do you notice that this voucher is dated at St. Boniface, the fifth January, 1917? A.—Yes.

Q.—The first item is "50 Lives, Mgr. Langevin, \$1.50, \$75.00." A.—Yes.

Q.—What was that for? A.—Purchased by the Minister.

Q.—Do you know what they were purchased for? A.—No, I do not.

Q.—Do you know where they are now? A.—No.

Q.—Have you any idea what became of them? A.—No.

Q.—Did you ever see them? A.—No, I have no recollection.

Q.—What are those other items? A.—I do not remember offhand what they are.

Q.—This is a special reduction to \$48, expenses of sending, express \$3.60, and here is another 60 cent item, making in all \$52.20? A.—Yes.

Q.—I see it is under the head of General Expenses. It is Mr. Gariepy, but it is under the head of General Expenses. How do you account for that being under General Expenses, of Mr. Gariepy? A.—Well, that is the vote that General Supplies are charged to.

Q.—That is, it was charged to the vote of General Supplies. That is what that means, is it? A.—General Expenses vote. Any general supplies or expenses is charged to that vote, the same vote as if we purchased some other supplies for the office.

Q.—I notice that although the voucher bears the date January 5th, 1917, it was not received in your Department until the 8th of May, 1917? A.—Yes.

Q.—That would be correct, wouldn't it? A.—No, it was the Treasury—

Q.—No, I am wrong. When was it received in your Department? A.—Well, that was passed by the Auditor the 7th of May.

Q.—That is, it came in and was passed by the Auditor and went to the Treasury Department and was paid on the same date, was it? A.—Yes, paid on the 8th.

Q.—Is Mr. Logan in your Department? A.—No.

Q.—Where has he gone? A.—I think he is practising law at Vermilion now.

Q.—It was Mr. Logan certified the material was received and the charges were fair and just? A.—Yes.

Q.—That is the regular form? A.—Yes.

Q.—What would become of this, in the ordinary routine of your Department, when the goods purchased arrived? A.—It would be delivered where directed by the Minister.

Q.—Have you any idea where they were delivered? A.—No, I have not.

Q.—Who would know that, as a matter of fact, in the Department? Anyone outside the Minister? A.—It would all depend on how they were delivered and who delivered them.

Q.—Here are goods purchased by your Department and paid for by the province. I would like to know what became of them and where they are?

MR. MACKAY: Purchased by the Minister?

MR. EWING: Well, paid for by the Department, O.K.'d by you as passing through your Department and the Treasury Department on your O.K., no doubt, paid it? I am asking what became of these things. Where are they? A.—Well, I have not control of all supplies that are purchased for the Department.

Q.—But I would expect you would have knowledge of their ultimate destination? A.—No, I would not. Supplies purchased by the Minister need not necessarily come before me at all.

Q.—That is, the Minister might do what he likes with anything he purchases? A.—Well, he is not under my control in any way.

Q.—When you O.K.'d this account you knew what it was for, didn't you? A.—Yes.

Q.—What idea had you it was for? A.—I knew what had been purchased; but I did not know the reason why they had been purchased.

Q.—And you never enquired about them? A.—That was not my business.

Q.—It was no part of your concern. That is the practice of your Department. If the Minister purchases anything for any purpose whatever, so long as he purchased it, you O.K. it? A.—If he says it is in order to do so.

Q.—And did he say this was in order? A.—Must have done so or it would not have been O.K.'d.

Q.—Had you a verbal communication from him besides what appears on the voucher?
A.—Well, any account from him is O.K.'d with that understanding.

Q.—Did you take this up personally? A.—Well, I cannot recall.

Q.—Well, that is rather unusual? A.—Well, I am satisfied I did take that up, but I do not remember the circumstances.

Q.—Cannot you recall the circumstances? I would like you to search back in your memory and say if you could not recall the circumstances of taking that up with the Minister? A.—What would take place in a case of that kind was simply showing him the voucher and asking him if that was in order to be paid, and he would say yes or no.

Q.—And would you, as a matter of fact, have the Minister endorse his O.K. on it? A.—No.

Q.—It would just rest upon his verbal statement? A.—Yes.

Q.—And the practice of your Department is that anything the Minister purchases you O.K. as a matter of course, provided he is satisfied? A.—Provided he says it is in order to do so.

Q.—When did this account in the usual course of business go before the Auditor? A.—Oh, on that date.

Q.—But what is the practice? Do you O.K. it first and then it goes to the Auditor? A.—Yes.

Q.—Does the Auditor endorse anything on it to indicate he has passed it? A.—Yes.

Q.—And this account came to you on the 7th; apparently it was received on the 7th; came to you, you O.K.'d it, you interviewed Mr. Gariepy in connection with it, it went from your Department to the Audit Department on the same day? A.—That does not show the date when it came to me.

Q.—What is that? A.—The date when it came to me is not shown there.

Q.—There is no date of your stamp here? A.—No.

Q.—“Certified correct.” That is your certificate, is it? A.—No; that is the vote number.

Q.—“2-6-7”? A.—Yes.

Q.—And not the date? A.—No.

Q.—And apparently it went to the Provincial Auditor on May the 7th? It was received in the Treasury Department on May 7th and was paid on May the 8th. That is the usual course, is it? That is about the usual course? A.—Yes.

Q.—Then you have absolutely no knowledge about this voucher at all, other than what you have told us? A.—No.

Q.—And you have no knowledge of the ultimate destination of this stuff that was purchased for \$52.22? A.—No.

MR. CAMPBELL: Do bills like this usually come addressed to the Minister in that way, or are they addressed to the Government? A.—Where he would order it would be addressed to him.

Q.—Is that material stuff that is usually used in your Department? A.—I do not use anything of that kind.

Q.—Well, do you know of similar purchases to that? A.—“Lives of——”

Q.—Are you in the habit of buying books like that in the Department—lives of great men? A.—No.

Q.—It is an unusual occurrence? A.—Yes.

Q.—Are you prepared to say that it is not a private purchase? A.—All I know is it was purchased by the Minister.

Q.—You are not prepared to say it was not a private purchase of the Minister? A.—I do not know.

Q.—Then you think it was purchased on behalf of the Government? A.—All I know is it was ordered by the Minister, and under his instructions paid for out of our general expense account.

Q.—But you would not say it was really purchased for the Government? A.—I do not know.

MR. EWING: I want to turn to your Public Accounts. Those are gotten up under your directions. There is an item: “P. A. G. Morice, \$52.22.” Is that the same account? A.—Well, I could not say offhand. This is prepared in the Treasury Department.

Q.—I am reading from page 46 of the Public Accounts. Just look at the name contained in that voucher and tell me who the vendor—the seller of those books—was? A.—P. A. G. Morice.

Q.—P. A. G. Morice is apparently a clergyman; O.M.I. is apparently written after his name? A.—Yes.

Q.—He is a clergyman living in Winnipeg? A.—Well, I do not know where he lives, but it is dated from St. Boniface.

Q.—And the amount is \$52.22? A.—Yes.

Q.—Here is “P. A. G. Morice, \$52.22.” That will be the same account, will it not? A.—It looks as though it was.

Q.—You haven't any doubt in your mind that it was the same account, have you? A.—It would seem to be the same account.

MR. MACKAY: The same name. All he can say is what he sees, and that is what you do. A.—Yes.

MR. EWING: It is under the heading of travelling expenses, in the Public Accounts? A.—Yes.

Q.—Do you see any justification whatever for putting an account for copies, for 50 copies of the "Life of Mgr. Langevin" under the heading of travelling expenses? A.—I do not know why it was placed there. As I say, I did not prepare these accounts.

Q.—I am asking you now, as an officer of the Department, do you see any justification for it? A.—It is not travelling expenses.

Q.—No; I think it is apparent. There was no man by the name of P. A. G. Morice in your Department, was there? A.—I do not remember anyone of that name.

Q.—You would know, wouldn't you? A.—I think so; I think I would remember it.

Q.—And you think there was no one by the name of P. A. G. Morice who drew \$52.22 for travelling expenses, is there, in 1917? A.—Well, not that I have any recollection of. We employed at one time or in connection with some of our work that year—we employed quite a number of men for short periods. He might have been one of them.

Q.—I will have you go through your Public Accounts for 1917 and tell me whether there was a P. A. G. Morice who drew \$52.22 for travelling expenses during 1917, for it is utterly unjust to that Mr. Morice, if there is a Mr. Morice, who drew \$52.22, to say that is this account.

MR. MACKAY: It would not be just or unjust. It would not bear on him.

MR. EWING: It would be wholly wrong.

MR. MACKAY: It would not be wholly wrong. It would have nothing to do with it.

MR. EWING: Would you look that up and come back? You have some doubts on that, I see. A.—Well, I cannot say for certain until I do look it up.

Q.—Can you look that up and come here on Thursday and tell the Committee that? A.—I can.

Q.—I just want to identify this voucher, this voucher for Pierre Provost, expenses while on Government business to be accounted for, advance required, fair and just, \$100. That is vouched for by you as Deputy Minister of Municipal Affairs? A.—Yes.

Q.—This is the account to which the advance was charged? A.—Yes.

Q.—The account is dated—it commences May 7th and continues till June 12th. The total expenses was \$203.55 for that time—1917? A.—Subsistence was allowed for thirty-seven days at \$2.50.

Q.—That is your regular allowance? A.—Yes.

Q.—Livery, gasoline and so on. They are all livery or gasoline? A.—Yes.

Q.—Where was Mr. Provost at that time? Do you know without examining the vouchers? A.—No, he was not working under my instructions.

Q.—Whose instructions was he working under? A.—The Minister's.

Q.—Do you know where he was working under the Minister's instructions at that time? A.—Not except from what you see on the voucher.

Q.—I see there is a man named Willie Plamondonville. Have you any idea how these expenses were incurred? Can you tell me?

MR. MACKAY: Do the receipts or cheques show? A.—The receipts will show.

MR. EWING: Take that one. Here is a receipt for \$3.30 for gasoline for trip to Plamondonville. That is out in the Minister's constituency, isn't it, or do you know that? A.—I do not know. I think it is up there in the Lac la Biche country.

Q.—\$19.25, Plamondonville to Lac la Biche station; that is up in that country, too? A.—Yes.

Q.—The same country? A.—Yes.

Q.—And here is from Lac la Biche to Owl River station? A.—I do not know where Owl River is.

Q.—And livery, May 28th to 30th, Willie Plamondonville. Do you know who Willie is? A.—No.

Q.—Here are some more Willies—\$10; and here are some more. A.—I cannot read that.

Q.—And here is Chevigny, \$5 for livery. That does not show where the livery was used. Don't you insist upon that at all? A.—That man was not working under my instructions.

Q.—Then we come back to the same principle you enunciated a little while ago, that as long as the Minister O.K.'s it, it is all right? A.—That was my authority.

Q.—And you passed these on the Minister's instructions? A.—Yes.

Q.—And I notice quite a large number of these is William Plamondonville, and you do not know where he was working except as it appears in the receipts and vouchers? A.—That is all.

Q.—You do not know what these men were doing? A.—No.

Q.—You do not know what car that gasoline was used for? A.—No.

Q.—You raised no question about this at all, did you? A.—Except referring to the Minister for his approval as to whether it was in order it should be paid.

Q.—I notice the Minister does not O.K. this at all. You verbally went to him, didn't you? A.—Yes.

Q.—Had you any doubts in your own mind? A.—I know he did not work under my instructions. I had no knowledge what he was doing.

Q.—Had you any doubts as to what he was doing? A.—I did not know what he was doing at all.

Q.—Here is a voucher in which you O.K.'d an advance for \$100 while on Government business to be accounted for, advance required fair and just. I am asking you now if you had any doubts

in your own mind as to whether these various items were incurred while on Government business?
A.—I did not know anything about the work.

Q.—He was not acting under your instructions? A.—Not in any way.

Q.—Will you answer my question? I am asking if you had any doubts in your own mind as to this being fair and just and on Government business? A.—The Minister stated he was on Government business.

Q.—Do you remember the Minister telling you that these items were incurred on Government business? A.—Well, if it was in order—that is what the certificates mean.

Q.—I am asking if you specifically remember the Minister telling you that? A.—I remember him telling me it was in order, and that account should be paid.

Q.—I am asking you quite apart from what the Minister told you. I am asking if you had any doubts in your own mind as to the correctness—in the sense I have spoken—as to the correctness of that account? A.—I may have had.

Q.—Had you? A.—Any doubts as to——

Q.—As to these items being incurred on Government business? A.—Well, I did not know what the man was doing. I could not form any opinion very well, whether it was on Government business or not on Government business.

Q.—And you had no doubt about it when the Minister said it was? A.—When he told me, there was an order for that to be paid, and I put the voucher through.

Q.—And you had no doubts about it being on Government business? A.—Well, not knowing what the man was doing, I could not very well say what that work was.

Q.—Have you any doubts now? A.—Well, I do not know what he was doing.

Q.—I am not asking of your knowledge, now, Mr. Perrie; I do not want to parry with you; I am asking if you have any doubts as a responsible officer of this Government whether these were items connected with Government business?

MR. MACKAY: Surely he has answered it?

MR. EWING: I do not think he has.

THE CHAIRMAN: I think he has.

MR. MACKAY: He has said he was not up there and did not know. This man is acting under a superior officer's instructions and he does not know what the man did, and his opinion is not evidence without his knowledge.

MR. EWING: I am asking his opinion.

MR. MACKAY: That is not evidence, to begin with. The evidence so far, is that the Minister ordered this account to be paid, what the practice was, and we are only getting at facts. The question of policy is a different thing. The practice was that he, on the instructions of the Minister, being ordered by the Minister, he O.K.'d the voucher. Now, then, he says he does not know what the man was doing up there. Then he is asked if he had any doubts about it.

THE CHAIRMAN: I hardly think it is a fair question to put to the witness.

MR. EWING: I am asking a question that is asked in cross examination in every court in this country. I am asking a responsible Deputy Minister about an account which he has paid whether or not the items contained in that are items that ought to be paid by this Province; and if he cannot answer that he need not answer any questions at all.

THE CHAIRMAN: He has answered you on the authority of his superior officer he paid it and he knows nothing about it.

MR. MACKAY: You are trying to get a man's opinion and he has not facts to base it on at all.

MR. EWING: Well, he can say that.

MR. MACKAY: He has told you that about thirteen times.

MR. EWING: He has not told me once.

THE CHAIRMAN: I would judge he has no opinion on that matter.

MR. HOADLEY: How do you know he has not?

THE CHAIRMAN: I am judging from his answers.

MR. MACKAY: I want a ruling on that. The witness has said he paid the account on the instructions of the Minister, that was the practice on work ordered by the Minister, or something of that sort. He says he does not know what the man was doing, does not know where he was or what he was doing, and I say that his opinion, then, on where he was or what he was doing is of no account for he has no facts to base it on, and that is not evidence.

MR. EWING: That does not follow at all, that he has no facts to base it on. I submit to you, Mr. Chairman, that I am asking this witness a question which is continually asked in every court in this province and in every province in Canada. I am asking this witness a question which every witness ought to answer without hesitation. I am asking this witness whether an account which is presented here, which is before this Committee, which he says he did not know personally about because the man was not acting under his instructions, I am asking him whether or not he has any doubts as to this being a proper account to be paid out of the funds of this province.

THE CHAIRMAN: I think he has already answered your question.

MR. EWING: I do not think so.

THE CHAIRMAN: Indeed he has.

MR. MACKAY: He has answered enough that makes his opinion worthless because he has no facts to base it on.

THE CHAIRMAN: I do not think I would ask him to answer it in that way.

MR. EWING: I move that the question which I have asked this witness be a question which the witness be required to answer.

MR. ATKINS: Will you state your question?

MR. EWING: I will state it again.

THE CHAIRMAN: There is no quorum here.

MR. MACKAY: I am not going to sit here to hold back information or object to it, but my view is this, that when a man is under a Minister when he says that the practice was to pay what the Minister ordered, the Minister must come here and accept the responsibility or must accept it as far as this man was concerned, and when he tells you he does not know anything about the facts—he does not know where the man was—I say that asking his opinion, for it is his opinion, is not evidence at all, it is worthless, it is not based on facts; you might as well have a dream down.

THE CHAIRMAN: I have given a ruling down.

MR. EWING: I ask to have the question read.

(Question read from shorthand notes: “Q.—I am not asking of your knowledge, now, Mr. “Perrie; I do not want to parry with you; I am asking if you have any doubts as a responsible “officer of this Government whether these were items connected with Government business?”

THE CHAIRMAN: I refuse to allow the question to be answered. He has answered it. Read the previous answer to that.

(Answer read from shorthand notes): “Well, I did not know what the man was doing, I “could not form any opinion very well, whether it was on Government business or not on Govern- “ment business.”

THE CHAIRMAN: That is the answer.

MR. EWING: Will you say you have no opinion on this matter? A.—I was not in a position to form an opinion. I did not know what the man was doing.

MR. MACKAY: That is what he says. There could not be any question about that.

MR. EWING: I am not asking to what extent you were in a position to form an opinion. I am asking you, as the Chairman now says you have said, if you haven't an opinion on the subject? A.—I did not say I had not an opinion on the subject.

MR. MACKAY: He said he had nothing to form an opinion on.

MR. EWING: Now, you referred these accounts to the Minister, didn't you. A.—Yes.

Q.—Were there many others of the same kind and about the same time that you referred to the Minister concerning which you had no knowledge? A.—There were some others.

Q.—Can you place your hand on them? Do you know whose they were? A.—No, I could not give you any idea.

Q.—Can you give me any of the names at all? A.—No, not offhand; no, I couldn't.

Q.—Now, these were officers of your Department and you tell me—here is one of them, apparently a man in your own Department, assumed to be doing Government work. You recall Mr. Provost, do you? A.—No, I would not know him if I saw him.

Q.—You knew he was working in your Department? A.—I knew he was.

Q.—Well, do you know of any other men who were working in your Department at that time whose accounts you sent on to the Minister? A.—I could not give you any names offhand.

Q.—You could not? Do you know Adelard Baril? A.—Yes.

Q.—He is still in your Department, isn't he? A.—Yes.

Q.—Was that an account which you sent on to the Minister? A.—Well, without a reference to some of the files as to instructions sent out, I could not say offhand.

Q.—You could not say offhand. Might you have O.K.'d that account yourself? A.—Well, as a matter of fact, I did not.

Q.—Who did? A.—The Acting Deputy Minister.

Q.—Who would that be? A.—Mr. Young.

Q.—How was it Mr. Young O.K.'d that? A.—I must have been absent from the office the day that was put through.

Q.—That would be the only explanation, would it? A.—Yes.

Q.—Mr. Young would not under any circumstances O.K. an account if you were present in the office? A.—No.

Q.—This was an account which was received in the Provincial Auditor's Department on the 19th of June, 1917. The first item is on May the 26th; Fare Edmonton to Fowler, \$11.10. Do you know where Fowler is? A.—No, I do not.

Q.—And there was subsistence for eighteen days, May 26th to June 12th. Do you know what that man was doing at that time? A.—No, I do not. He may have had instructions. There may be copies of instructions to him on file. He may have been working without instructions from me.

Q.—From whom? A.—He might not have been working under instructions from me at all. I could not say offhand.

Q.—We have already had Lussier's account. That was subsequently paid, the account of Edward C. Lussier? A.—That particular account has been paid.

Q.—That is from June 23rd on to the end of July. April 23rd, Advance to Lussier of \$150. Do you know what that was for? A.—No, I could not say from memory, what that was for or under whose directions he was working.

Q.—What is the meaning of "Rush" up in the corner there? A.—They want to get the cheque quickly.

Q.—And you put that through the Department more quickly on that account? A.—That is largely for the auditor.

Q.—That would go through the Audit Department more quickly? A.—Yes.

Q.—Here is another of Lussier's—March 2nd to February 28th. Has that been paid? A.—Yes.

Q.—How can you tell that? A.—By the stamp "Paid."

Q.—Do you know what he was doing? A.—No, I could not tell you from that voucher without further reference what he was doing.

Q.—Here is J. A. Belanger. Do you know him? A.—Yes.

Q.—What was his position? A.—He was the Minister's secretary.

Q.—That was his. What does that red ink check there mean? A.—Covered by advance.

Q.—What do these items mean where I see they are cut down in red ink? A.—Made out at a subsistence of \$3.00 a day where the regular rate was \$2.50.

Q.—And where was that check made—in your Department? A.—Either there or in the audit; there is nothing there to show.

Q.—I notice his expenses on this just squares with his advance; they both came to an even \$100? A.—Yes.

Q.—You do not know what he was doing? A.—No—never worked under my instructions.

Q.—Whose instructions did he work under? A.—The Minister's.

Q.—I see here is "received the sum of \$5.00, fare Vegreville to Lafond." Lafond is in that district too, is it not? A.—Yes.

Q.—And all these you have O.K.'d about that time in connection with the services of this man would be specifically referred to Mr. Gariepy and would be paid upon his instructions? A.—If they were working under his instructions.

Q.—Who was working under his instructions, or how did they come to be working under his instructions? A.—The Minister may have any of the staff working under his instructions at any time.

Q.—Or at all times he may? A.—Yes.

Q.—And what information has the Deputy Minister concerning that? A.—He would not necessarily have any information.

Q.—That is he may not have any? A.—No.

Q.—Is it the practice for the Minister to come along and take any employee of the Department at any time and put him on his own work without the Deputy knowing anything about the work he was doing? A.—He can do so if he wishes.

Q.—I am not speaking of his legal right to do it. I am speaking of the practice. Has that been the practice in your Department? A.—It has been done fairly frequently.

Q.—It has been done very frequently? A.—Fairly frequently.

Q.—And these men at that time were not working under your directions at all; they were working under the directions of the Minister? A.—At what time?

Q.—From January to June, 1917? A.—What men do you refer to?

Q.—Provost? A.—He never worked under my instructions.

Q.—Was Provost in your Department before that time? A.—I do not remember the exact date he came on; but he was not in the Department very long.

Q.—What was he doing before he started to work out in Beaver River? A.—I have no knowledge of any of his work. He never did any work under my instruction.

Q.—Was he doing any work at all? A.—I do not know what he was doing.

Q.—Is there a lot of work being done in your Department concerning which you know nothing? A.—There may be work done under the directions of the minister.

Q.—Is there a lot of work being done continuously in your Department concerning which you know nothing. A.—Not continuously, no.

Q.—Was there during that period? A.—That man at that time was not working under me.

Q.—Nor had not been previous to this? A.—Nor had not been.

Q.—Do you know what work he was doing at all? A.—No, I do not.

Q.—You have no idea to give to this Committee? A.—I do not know what he was doing.

Q.—How long had he been in the employ of the Government? A.—Something under two months, I should judge.

Q.—Before that? A.—Well, altogether.

Q.—And you do not know what he did during those two months? A.—No.

Q.—These men were not engaged by you at all? A.—Which men?

Q.—The men whose names I have mentioned. Lussier was not engaged by you, and Provost—Dechene? A.—How do you mean engaged by me?

Q.—You did not hire them, or did you? A.—No, no, I did not hire them.

Q.—There is an account of Dechene. Was Dechene under you about this time? A.—Well, I could not. I do not remember the exact date. He worked on the general staff of the Department for some time and then he became private secretary to the Minister. I do not remember the date of him being changed from the one to the other.

Q.—Tell me, was he private secretary to the Minister when that account was incurred? A.—Well, without reference to the Order in Council I could not say.

Q.—The Minister would not have two private secretaries, would he, at one time? A.—No.

Q.—Was Dechene private secretary before or after Belanger? A.—After.

Q.—Belanger was private secretary up till at least June, 1917, was he not? A.—I do not remember the date.

Q.—That is before June at least, it is January, 1917. Your business then, in connection with these accounts—in connection with the matters that were not under your jurisdiction was simply to O.K. them on the instructions of the Minister? A.—Yes.

Q.—And you did not bother about whether the services had ever been rendered or what the character of the services were or anything else? A.—He was judge of that.

Q.—You paid no attention to it at all? A.—That was none of my business.

Q.—How is it that some receive more for subsistence than others? A.—It depends on the amount of salary they get.

MR. CAMPBELL: The private secretary did not get it; he only got \$2.50? A.—That depends on the amount of the salary. The greater the salary the greater the allowance.

MR. EWING: But this man got a higher salary than the private secretary? A.—Yes, because his account is higher.

Q.—The higher a man's salary is, the more his subsistence is? A.—Yes.

Q.—What is the highest subsistence you allow in your Department? A.—\$4.00 a day.

Q.—Who gets that? A.—Deputies and those of that rank.

Q.—And then they grade down to—what is the lowest? A.—\$2.50.

Q.—Based upon their salaries? A.—Yes.

Q.—What relation does it bear to their salary? A.—It is covered by an Order in Council—over a certain salary, so much.

Q.—There is a sliding scale? A.—Yes.

Q.—Do you know what Dechene's salary was? A.—Not at that time—that particular time.

Q.—He was getting \$3.00 a day subsistence.

MR. CAMPBELL: Do you know what the Minister's was. A.—Well, I haven't anything to do with that.

MR. EWING: Is Mr. Dechene in your employ now? A.—No.

Q.—Whose employ is he in—in the Government employ? A.—I believe so.

Q.—What Department is he in now? A.—In the Provincial Secretary's Department, as far as I know.

Q.—When did he leave your employment? A.—Last September.

Q.—How did he come to leave your Department? A.—He was Mr. Gariepy's private secretary and he was transferred to the other department.

Q.—Is Mr. Boychuk still in your employ? A.—Yes.

Q.—What work does Mr. Boychuk do? A.—He is a clerk in the general office.

Q.—Does he go out at all on trips doing work on the outside? A.—He has been out sometimes.

Q.—Was he out from January to June of 1917? A.—I could not tell you without reference to the files.

Q.—Here is an item; there is from May 7, 1917, to June 3, 1917, an item of \$241.75, practically all for livery and subsistence, 40 days; from 25th to 30th April and 1st to 31st May and from 1st to 4th of June, an item of \$241.75. E. A. Boychuk; driving practically all the time, apparently. Do you know anything about that account? A.—That does not seem to have been before me at all.

Q.—Who is that? A.—Mr. Young, Acting Deputy Minister.

Q.—Were you around the office during May and June, 1917? A.—Most of the time.

Q.—This would be when you would be out? A.—Yes.

Q.—Do you know whether that account was referred to the Minister or not? A.—Following our usual practice, it would be.

Q.—So that he certifies that this was incurred on Government business. A.—That is Boychuk.

Q.—That is his own signature, is it? A.—Yes.

Q.—Do you know what work he was doing? Was he under you when he was doing that? A.—I don't know whether that was under instructions from me or not.

Q.—Well, look at it and tell me, because I would like to know whether it was under your instructions. A.—I have no recollection of it being under my instructions but without referring to the file I could not say for certain.

Q.—You could not say whether it was under you or not. You could about the others, you remember? A.—Well, some of those who never worked under me I know offhand.

Q.—Mr. Boychuk did work under you before that? A.—I have had him go out on some work.

Q.—And he worked under you, did he not, in the Department? A.—Oh, yes, he has been working in the office for some time.

Q.—And he is under you now? A.—Yes.

Q.—And was prior to that? A.—Yes.

Q.—And I am asking now whether these expenses were incurred under your direction or

whether he was working under you at the time they were incurred? A.—I do not think so, but I could not—

Q.—What makes you think it was not so? A.—Well, I did not use him at that time. My recollection is I have never sent him out on any work except at apparently recent date.

Q.—And you think you did not send him out at that time? A.—I do not think so.

Q.—And if he did not go out under your instructions this work would be performed under the instructions of the Minister? A.—Yes.

Q.—And if he said to pay it you would O.K. it? A.—Yes. Well, I understand that is the rule that is followed. I was not there then.

Q.—Mr. Boychuk was in the employ of the Department at that time? A.—Yes.

Q.—Getting \$70 a month, I think? A.—I do not remember the salary.

Q.—But in regard to the item of expenditure of \$160 for livery, concerning which you know nothing? A.—No.

Q.—You know what was going on in May, 1917, don't you? A.—In what way?

Q.—Was there any matter that was exciting public interest at that time? A.—Oh, yes

Q.—It did not make any difference that all these men were going out working in the constituency of your Minister, charging up their expenses to this Government? You had nothing to do with that? A.—As I have said, all this work on any of these accounts you have shown me was not work under my instructions.

Q.—I see. You had nothing to do with that. Is it customary to make advances to the Ministers for travelling allowances? A.—No, I have nothing to do with his accounts at all; I never see them.

Q.—They go to the Executive Council, do they? A.—Yes, I believe so.

Q.—Here is a minister's travelling allowance, an advance of \$343.75 by Mr. Gariépy. That is certified to by John D. Hunt, is it? A.—Yes.

Q.—Do you know anything about that? A.—No, I have no knowledge at all.

Q.—Now, can you tell me anything about this written in red ink, "To be credited on advance of \$500 under voucher 57, 1917"? A.—I never see the Minister's accounts.

Q.—Do you know anything about that advance of \$500? A.—It would never come to me at all.

Q.—It could not occur in your Department at all? A.—No, it would come the same way as that voucher.

Q.—There is an expense account of \$343, and apparently it has to be credited to an advance of \$500, charged against an advance of \$500.

MR. MACKAY: That would be quite regular.

MR. HOADLEY: That is not the question. Could he get an advance in his own Department in any shape or way? A.—No, he could not.

MR. MACKAY: If that is Hunt's name that is the regular way.

Q.—These last accounts you were speaking of, Mr. Perrie, and Mr. Ewing made some reference to the amount which is to be credited, who is it goes over that? A.—John D. Hunt.

Q.—What position has he? A.—Clerk of the Executive Council.

Q.—That is Minister's expenses and you have nothing to do with that? A.—Absolutely nothing.

Q.—Is there anything very ambiguous about that item he is calling attention to. It is marked in red ink, "To be credited to advance of \$500 under Voucher 57, 1917." Is there anything very ambiguous there?

MR. EWING: Well, that is not the question. Be consistent in the stand you are taking.

MR. MACKAY: I think I am quite consistent. Well, if I am wrong, you were wrong then, and I think we can call the honours even.

MR. EWING: Before we adjourn, I put into your hands the names of some of the witnesses I want you to call. I also want to make application to call Mr. Forster. A statement in a letter which has been brought down and brought to this Committee has been challenged. The truth of this statement has been challenged. He was an employee of this Government occupying a very important position. I think he ought to be called before this Committee to give evidence on this issue. I think he ought to be called.

THE CHAIRMAN: You know we cannot call him. I understand he is in the United States.

MR. MACKAY: I understand he went to California immediately after he was dismissed.

MR. EWING: I am asking that he be called at a subsequent meeting. He can be gotten here; I haven't any doubt about that, and I think, at least to begin with, this Committee ought to send word to Mr. Forster through its Chairman instructing him to come here. If he does not obey it, then we can take what measures we may—

THE CHAIRMAN: I do not think the Committee has any authority to deal with that.

MR. EWING: It is not a question of authority at all.

THE CHAIRMAN: That is my information.

MR. EWING: I move that this Committee send through its Chairman instructions to Mr. Forster, at an address which can be gotten, to attend before this Committee for examination.

MR. MACKAY: Well, I will object to putting it in that form. We have no power to give instructions, but I have no objection to the Chairman requesting him, if it is convenient

and at his own expense to come. I have no objection to his being sent word that his word is challenged.

MR. EWING: Then, that he be requested to attend.

THE CHAIRMAN: I will tell you—I will look into that matter, but my information is—we asked for some witnesses already that are outside the province and I tried to get as reliable information as I possibly could as to this Committee having authority to do this and I was told no.

MR. HOADLEY: It is not a question of authority at all.

THE CHAIRMAN: Well, then, we will adjourn.

MR. MACKAY: I think the Chairman is right. There should be no letter go from this Committee that would assume that we had power which we have not. We have no power to bring him here at all. But anything else that will bring him here, I do not object to any member of the Committee doing it. I would like to see him here.

MR. WEIR: You have no power to bring a man here outside the province if he does not want to come. That was established in the A. & G. W. matter and a dozen places. But there is nothing at all that would prevent you if you wanted so to do, yourself, in the interests of the public, to request him.

MR. MACKAY: Well, there would be no objection to you doing it.

MR. WEIR: Well, it would give it more force.

THE CHAIRMAN: You had better get a request from the House.

MR. WEIR: Would a request from the Premier do it?

THE CHAIRMAN: No, you had better ask the House. What would be the use of my asking him? I would look like a fool, asking him.

MR. MACKAY: The Chairman is technically right.

THE CHAIRMAN: Let that settle right there. You get your request from the Legislature and I will carry out your wishes.

MR. CRAWFORD: There are some vouchers in connection with election expenses, 1917, St. Paul Riding. I am asking for two sets. E. Clouthier, \$398.32; E. Clouthier, \$535.00. I would like the vouchers covering those items.

MR. EWING: There is another witness, Antoine Charbonneau, I would like to call. I think his home is in Edmonton.

Committee adjourns till Thursday, March 20th, 1919, at 10 a.m.

THURSDAY, MARCH 20th, 1919.—COMMITTEE RESUMES AT 10 A.M.

MR. BOUDREAU: Before you start, I want to say that I have a resolution before the House asking for a special committee to investigate a charge against me. I am willing to allow the Public Accounts Committee investigate these charges and withdraw my resolution providing the Committee will agree to go on with my charge not later than tomorrow and that the Committee will make a special report on my case. I only want fair play and justice from this Committee and I am willing to let you people go ahead with it. Now you may say: "You will have to wait till Mr. Forster gets back, to hear his evidence." What I maintain is this, you can go on with the evidence of the other witnesses and then wait until you hear the evidence of Forster before you make this report. I am making this proposal to this Committee so that when I come in with my resolution before the House there will be no opposition to it, and that I will get fair play from this Committee.

MR. WEIR: Nobody has made any charges against you—any formal charges. Your name has simply come up in the course of the evidence.

MR. BOUDREAU: I am merely asking for an investigation and I am going to have it, anyway.

MR. FBBETT: I think in view of the circumstances that the request of the member for St. Albert is perfectly reasonable. All he asks is that this Committee make a special report on their finding as regards himself. I think every gentleman in the Committee will admit at once it is reasonable for him to do that and I think it is no more than justice to him. Whatever their finding may be he asks them to make a special report as far as his case is concerned.

MR. BOUDREAU: As I say, if you gentlemen turn me down with what I ask you for—a special report of the House—I am going to have a special committee appointed on the floor of the House and they will have to make a special report to the House. It is only fair. Now, yesterday, the member for West Edmonton asked for Forster to come back to this province. I am glad of it, that he will come back and there will be a whole lot of other transactions he will connect with and he will be very useful for the Government. But what I say is this, that no member of this Committee or no member of the Legislative Assembly has any right to refuse me a special report to the House regarding the information which has been laid against me or referred to against me on the floor of the House.

MR. EWING: Mr. Chairman, I have nothing to say further than has been said. The position clearly is this, we are examining in this Committee the Public Accounts of the province. Incidental to that, a reference to Mr. Boudreau came up in a letter written by a departmental employee. Now, with that, except insofar as it affects the matter before this Committee, we have nothing to do. I have no objection at all, and I think perhaps the other members of the

Committee have no objection at all, in addition to the other things which we may look into, at Mr. Boudreau's request going into all the matters connected with him arising out of the letter and the statement in the letter. We have no objection to doing that and of course when the time comes for this Committee to report—Mr. Boudreau is a member of the Committee—you can move that a special report be made or move for whatever report you like in this Committee and it will receive the attention of this Committee.

MR. BOUDREAU: I do not think it is right for me to ask for a resolution to whitewash myself. Someone will do it. If I am guilty I want a report to go to the House and if I am clear I want it to go to the House.

MR. EWING: Well, anyone else can do it if you do not wish. That is a point that cannot concern me now.

MR. BOUDREAU: This is the point. You will not agree. Anybody may move, but you may oppose the report, in this way, you may oppose the special report from this Committee.

MR. EWING: You do not want us to agree in advance, do you? The evidence is not out yet.

MR. BOUDREAU: It makes no difference. I just want a special report, and I think it is just as fair as you should think that Mr. Forster should come back.

MR. EWING: I want to be fair and every member of the Committee wants us to bring out all evidence. If it affects anybody it cannot be helped. If it clears Mr. Boudreau absolutely, as far as he is concerned I am sure that will meet with the approval and congratulation of all the members of the Committee, but that is not a matter that we are concerned with now. I understand now, that the point is Mr. Boudreau wants the Committee now to agree that no matter what the evidence will be, that it will present a special report dealing with Mr. Boudreau's connection with the evidence.

THE CHAIRMAN: That is what I understand.

MR. EWING: That is a matter for the Committee to consider. I have no objection to that.

MR. EBBETT: I did not think you would have.

MR. CAMPBELL: Do I understand Mr. Boudreau is anxious to have a minority report put in?

THE CHAIRMAN: No, a report from the Committee.

MR. BOUDREAU: Just a report on my case. I do not care if the whole Committee goes against me.

MR. RAMSEY: I think the Committee had better decide to report when they have something to report.

THE CHAIRMAN: But he is asking for a special investigation into his special case.

MR. BOUDREAU: It will save the appointment of another committee to go into the question and the House is going to adjourn soon.

MR. EWING: You will understand this Committee is appointed for definite objects and I take it we cannot of our own motion undertake an investigation, even with the consent of the honourable member whose name is mentioned. But we will—I can say that as far as I am concerned, I will undertake to even go out of my way, with the consent of the Committee, to bring out all the evidence that I can that bears upon the subject matter with which Mr. Boudreau is connected. That is all I can say. I do not think this Committee as a committee can undertake something outside of the functions for which it is appointed.

MR. BOUDREAU: I am glad to know the opinion of Mr. Ewing. Then I will go before the House and ask for the appointment of a special committee, because under the circumstances any member of this committee may come along later on and say, "Well, we have no authority to investigate Boudreau's charge, we did not find anything and we have no authority to investigate it and we cannot clear Boudreau." So I hope there will be no objection on the floor of the House when I ask for a special committee.

THE CHAIRMAN: The functions of this Committee are to enquire into the Public Accounts. This is a matter outside. If the House will constitute this committee a special committee, it will be a different matter; then, we can go on and investigate. If you ask the House to make this a special committee to investigate your charge and they do that, then we will be in a position to go ahead.

MR. BOUDREAU: I am going to ask the House to appoint a committee and I am going to leave it to both sides of the House to appoint whatever committee they like. But all I am interested in is to get a special report about me, whether I am guilty or not.

MR. WEIR: The Chairman's view is right. We have no authority to make a special investigation. Our function is to investigate Public Accounts. Now the position of the Honourable Member for St. Albert is the same as the position of the Minister of Agriculture the other day. His name came up in a way in which he was put in a false light and he asked permission to appear before this Committee and make his statement, and that is what I understand Mr. Boudreau is doing today, but we have no right to make a special investigation of Mr. Boudreau's case unless, as the Chairman says, we have that responsibility placed upon us by the House. As far as his asking for a special report insofar as the evidence we get here is concerned, I have no objection to that, when the time comes and when the evidence comes out. But the honourable member said a moment ago we are going to adjourn very soon. But supposing we

have not had enough meetings to get this evidence out we can only report on the evidence we have had up to that time.

THE CHAIRMAN: There is a difference between Mr. Marshall's case and Mr. Boudreau's case.

MR. WOOLF: If he moves this afternoon in the Legislature that a special committee be appointed to investigate his case, will the members of this Committee oppose that request? That is his position, I think.

MR. EBBETT: I do not think he meant that.

MR. BOUDREAU: I say when I move that resolution I would not like any member of this Committee to get up on the floor of the House and say, "Why should such a resolution be introduced and not come before the Public Accounts Committee?" That is what I want to have clear.

MR. DAVIS: In other words, you want every other person to see it as you see it yourself?

MR. BOUDREAU: Well, I know I cannot make YOU see it as I see it.

THE CHAIRMAN: I think I understand Mr. Boudreau's position fairly well—if he makes a request to the House for a special committee this Committee is not going to oppose that resolution in the House. If the House sees fit to appoint such a committee of investigation, Mr. Boudreau will be perfectly satisfied.

MR. BOUDREAU: Sure, that is the idea.

MR. EWING: Of course, no member now is committing himself to what he is going to do in the House, but I want it to be understood—I want to be perfectly fair and frank with you—but I do not want the investigations of this Committee to be interfered with in any way. If a special committee is to be appointed, then it will mean that unless the House orders to the contrary, that when we come along to any matter outside of that, it is outside of our functions. Now I am opposed to that. We want to go on, I suppose the other members do, and conduct the investigations of this Committee untrammelled.

MR. BOUDREAU: Don't you think it is up to the Government and to every member of the Legislative Assembly to see that I get justice on this deal? And isn't it up to every member of this Assembly and even this Committee to adjourn the meetings of the Public Accounts Committee and to see what these charges are against me, whether they are right or not?

MR. WEIR: No, I would not go so far.

MR. BOUDREAU: If you gentlemen won't adjourn you should not oppose any other special committee to investigate my charge. You see you are going to get up on the floor of the House and prevent or try——

MR. WEIR: No. I will go as far as any member of this Committee to see that he gets justice, but I won't give up my rights to investigate the matters before this Committee. But if you must have another committee, let us have it, by all means, and let them go on untrammelled and not interrupted by this committee or any other committee. I will go as far as any man in this House to see that Mr. Boudreau gets his rights in this Committee, or any other man, but I am not going to allow the rights of this Committee to be set aside or interfered with.

THE CHAIRMAN: Is that satisfactory, Mr. Boudreau?

MR. BOUDREAU: That is satisfactory.

WILLIAM JOHN WEBSTER, recalled, further testifies as follows:

THE CHAIRMAN: You have been sworn already and you are still under oath.

MR. EWING: You know Mr. Downey? A.—Yes, I met him in the Liquor Vendor's store. That is, he was there for two or three or four days, I don't know how long.

Q.—When did you last see Mr. Downey? A.—At that time.

Q.—You have not seen him since? A.—No. That was somewhere about the 6th, 7th, 8th or 9th of November.

Q.—I understood you to say the last day that you sold for cash—your practice was to sell for cash, but you did not check up the stuff you sold with the amount of cash at night. I mean you hadn't any check on that? A.—Well, I had the money for it.

Q.—Where did you keep the money? A.—In the till and then I would move it into a little safe that I had.

Q.—Did you check up? How did you check up the money that you had in the till? A.—I usually counted it up and looked for the cheques and put it in this little safe. I kept Government money only in the safe.

Q.—But you did not check that with your sales each day? A.—Sometimes I did and sometimes I did not. If I was very, very busy I couldn't check it over.

Q.—Now, you have a cash book, haven't you? A.—Well, I had no cash book until Mr. Thompson, he was the man I think, came there.

Q.—Mr. Thompson? A.—Thompson, I think it was. I had no book of any kind to keep anything in.

Q.—What? A.—I say I had no cash book or anything of that kind to keep anything in.

Q.—Is this your cash book (produced)? A.—This was the cash book at that time when Mr. Thompson was there.

Q.—When was Mr. Thompson there? A.—Let me look at it.

Q.—When did you start to keep this cash book? A.—I started to keep this cash book from June, 1918, and Mr. Thompson came here.

Q.—Who was Mr. Thompson? A.—Mr. Thompson is a teacher in one of the schools.

Q.—And is he connected with your store? A.—No, but he was sent there.

Q.—Sent there to do what? A.—To assist me, and I asked him to take charge of the cash, and he came there on the 6th November, 1918.

Q.—But you started to keep this book in June, 1918? A.—Yes.

Q.—Who kept it? A.—Well, I just kept a memorandum.

Q.—Just a sort of memorandum? A.—Well, yes.

Q.—You started in on the first June, did you? A.—No, a bit before that.

Q.—The eleventh of June. Now show me the amount of cash you took in on the eleventh of June? A.—\$191.65.

Q.—These are the people to whom you sold goods on that date? A.—Yes.

Q.—That was on June 11th you sold goods to the amount of \$191.65. A.—Yes; less \$6.75. There was \$6.75 on hand after depositing that.

Q.—This was deposited? A.—Yes.

Q.—On the eleventh of June you deposited——? A.—\$189.40.

Q.—You kept this book. These items represent your total sales on that date? A.—Yes, they should.

Q.—And you kept this book along till when? A.—Until Mr. Thompson came and then Mr. Clarke, I think it was, came.

Q.—Did you make these entries each day at the time the sale was made? A.—Well, not perhaps at the exact time the sale was made. I took them off the slips.

Q.—But you entered them up each day off the slips? A.—Yes.

Q.—Here is July the third. And the next entry is November the seventh? A.—Yes, in that book.

Q.—Where is the other book? A.—I never had a book, only this. This is the only book. This is an old book of my own. I was handling the money myself and I did not keep up any accounts after that, until Mr. Thompson came, because he took the cash over.

Q.—Let me understand you, Mr. Boudreau? A.—Webster.

Q.—I beg your pardon. I called your attention to the entries of June 11th being apparently the first day upon which any entries were made, June 11th, 1918, and these cease—at least there is an entry of sixty-five cents on July 3rd and then the book is a blank until the 7th day of November. Now, between that time you kept no cash account at all? A.—No, nothing, only the slips. I have the slips here. I could find out from them.

Q.—Why did you cease this on that date? A.—Because I was handling the cash myself and it was getting extra for me all the time. I had no one there but myself and I just put the money of the Government into that safe.

Q.—What bank did you deposit in? A.—The Merchants' Bank at Edmonton.

Q.—Have you got your bank book covering this year, 1918? A.—(Produced).

Q.—This only goes back to September? A.—Well, the auditor would have the other or down here somewhere. I haven't got it.

Q.—You handed this over to the auditor? A.—Yes.

Q.—I would have liked to have had your book for the period from June to November.

THE CHAIRMAN: Do you want it this morning?

MR. EWING: Yes, if you would not mind telling Mr. Burley to produce it when he comes.

A.—I have the slips here, my deposit slips.

Q.—Take your deposit slips from the 1st July. We have here July 15th to August 12th. I notice on July 15th you made a deposit and July 16th you made a deposit and July 17th and July 18th. Did you make a practice of making a deposit every day? A.—Every morning—yes, that is where I possibly could. There may be some places there where a deposit was made for yesterday and today. For instance, on Saturday it would be a half day and I would make a separate one for Saturday and then deposit Saturday's with Monday or Tuesday.

Q.—You deposited all the cash you got in the preceding day? A.—I did.

Q.—You kept a certain amount on hand? A.—There was a certain amount on hand. For instance, a man from Leduc or somewhere would send in a cheque for \$50 and the goods were not put up for him. I would not enter that up. I would not deposit that until the goods were ready for shipment.

Q.—I see. Did you keep any cash on hand for change or did you make a complete deposit?

A.—Oh, no, I always had cash on hand for change.

Q.—Did you keep the same amount always on hand? A.—Yes. I got \$10 from the Government, first, for change, and I always kept that on hand.

Q.—And you deposited your total cash on hand less \$10? A.—No, I did not.

Q.—What did you do? A.—I deposited the amount of the sales for that day as the sales sheet books would show. I have only got October, November and December with me. But I can show you the plan.

Q.—I think I understand the plan. A.—Just turn those up and you will see which days.

Q.—And the sum total is? A.—If you see there, you will get the highest amount on that day.

Q.—On the 18th of November you deposited \$13,700? A.—No, no, I never had that much money.

Q.—Well, what is that \$13,700, then? A.—\$1,370.

Q.—That is \$13,700. But it is really \$1,370 you deposited. A.—Yes?

Q.—You deposited the amount which was shown by your books to be the total sales? A.—Yes.

Q.—Did you have anything over? You ought to have \$10 over that? A.—I ought to have \$10 over and there should be also in the till any cheques or any money over and above these sheets—lying in the safe.

Q.—You would have them on hand and you would deduct them? A.—Yes.

Q.—Did you have any cash on hand over and above the \$10? A.—No.

Q.—Just an even \$10 all the time? A.—That is all I should have.

Q.—But I am asking what you should have? A.—Well, I could not tell you that.

Q.—Did you ever have any considerable amount over and above that? A.—Yes.

Q.—Eh? A.—Yes.

Q.—Where did that come from? A.—Well, from men sending in cheques.

Q.—I am speaking of cash. A.—I really do not understand what you refer to.

Q.—You deposited all the cash you had on hand each day, except \$10? A.—No, I did not.

Q.—What did you do? A.—Because there was a number of cheques or moneys on hand that came in from men whose orders I had not filled.

Q.—That is, you kept the cheques as well as the cash? A.—Yes, the cheques as well as the cash, and deposited the amount of the sales for every day. Because sales is only when goods are delivered. A sale, as I understand it, is a purchase and delivery and payment.

Q.—Listen to this. I want to read you a portion of a letter written by Mr. Forster to the Minister, The Honourable J. R. Boyle. (Reading): "It may be interesting to you to know that on Monday, the 7th of October, I called the Chief Auditor to my office and showed him numerous discrepancies in the accounts of the local vendor—all in the vendor's own written records, and a system of accounting, manipulation and covering up one day's sales with moneys received in other days, that should be tolerated in no business or branch of the service." Did Mr. Forster call your attention to the matters mentioned in that portion of his letter? A.—He called my attention to a matter of addition two or three times, where I had omitted to make the correct amount in the additions.

Q.—You had omitted to add up correctly? A.—Yes.

Q.—And you had made a clerical error? A.—Yes.

Q.—And how had that affected your deposit? A.—It would not affect the deposits any.

Q.—Why wouldn't it? A.—Well, I either had the money in the bank or in the safe.

Q.—But how would your cash book correspond with your deposit slip? A.—Well, I answered that before. I either had the money in the Merchants' Bank or else it was in the safe.

Q.—But what column was it you added up wrongly? A.—Let me see. I think I can tell that with these accounts.

Q.—Before we go on with that—I will go on with something else in the meantime. If your memory is not clear on it I can get the auditor to tell me. Did the auditor mention it to you? A.—Yes.

Q.—Who was it? A.—Mr. Binn, I think it was.

Q.—Did Mr. Burley mention it to you? A.—I do not think it.

Q.—You never had any conversation with Mr. Burley? A.—No, not that I know of.

Q.—On how many occasions did the audit office take up with you irregularities in your books or accounts? A.—Well, the auditor was down there, that is Mr. Binn was down there, and there were some additions that were wrong, both ways, there were additions.

Q.—On how many occasions? A.—I could not tell you that. He would know.

Q.—About how many? A.—Well, I don't know; he only spoke of it once or twice to me when he was making up the accounts; he would know, perhaps.

Q.—This is down to March the 19th? A.—That would be yesterday.

Q.—\$2471.80 your deposits were yesterday? A.—Yes. You see, we have a lot of orders in and we cannot fill them and those we fill, we have the money for it and we deposit that. An order might be three or four days before being filled if we were waiting for some other goods, or any other cause that it could not be filled, and then as quick as it is done we enter it up on this sheet here.

Q.—Here is an item apparently about the 12th November, Boychuk, \$11.10. What does that mean? A.—A returned cheque.

Q.—That is a charge back? A.—I think that is it.

Q.—Just tell us what that transaction was? A.—Oh, I don't know unless I would turn up the papers.

Q.—Who was Mr. Boychuk? A.—I think he is a Lutheran minister.

Q.—Is he? A.—I think so; I won't say for certain.

Q.—There are some Boychuks who are not Lutheran ministers? A.—Well, I don't know that. If there is anything particular about it I think I can get the application form.

Q.—\$11.10; that is a cheque that was charged back. Had the liquor gone out when the cheque was charged back? A.—Yes.

Q.—What did you do about that? A.—It was paid after.

Q.—Do you remember it being paid afterwards? A.—Yes.

Q.—Who did he pay it to? A.—Well, he sent it in. I really can't tell you very much about it without referring to letters. I don't know what this is.

Q.—You do not know what any of these items are, do you? A.—I know about that one—Archibald. He had written a cheque on the wrong bank. He had taken one of the cheques off my desk on the Merchants' Bank and he deals in the Imperial Bank, and he did not change it and it was charged back and afterwards it was put in here. And there is another case written in the same way, and when I took them up to the Merchants' Bank they were refused and I brought them down to Mr. Archibald and he gave me other cheques for them, to cover that up.

Q.—And where does the \$11.10 appear, that is Mr. Boychuk's charge back? A.—I don't know as I can tell that without looking it up, but I remember the other occurrence.

Q.—But can you give me the \$11.10? Do you remember? A.—This is the auditor's work, here, I don't know; but I think the money was returned and put in. And here is \$11.10 of a charge. Now see, the bank charge ten cents for an error, and there is \$11.10 of an error, but this man only sent in \$11.00.

Q.—So then you think that is the figure that on the 19th of November covers the item on the 12th November? A.—Yes, I wrote to him about it.

Q.—There is a charge back of \$126.10 of the Dominion Drug Company. Can you tell me how that came about? A.—Yes. That was a cheque that Mr. Boudreau gave on the Merchants' Bank and when I went up to the Merchants' Bank with it they had no money there for him. And I went up and saw Mr. Rowans and I told him there was an error there. Mr. Boudreau came down and gave me a cheque on the Royal and that was re-deposited.

Q.—This was on the 16th apparently? A.—No, I think it was the 18th.

Q.—Well, there is the date. A.—Well, all right. It was re-deposited on the 20th November.

Q.—Who gave you that cheque? Who gave you that cheque of \$126.10? A.—It was drawn by the Dominion Drug Company and given to me by Mr. Boudreau.

Q.—Who signed it? A.—The Dominion Drug Company, per Lucien Boudreau, President. I think he was president, or some office.

Q.—Were all the purchases of the Dominion Drug Company made in practically the same way? Were they not? A.—I think so. Mr. Rowans—oh, I think they were all in the same kind of cheque.

Q.—That is a cheque of the Dominion Drug Company, per Lucien Boudreau, whatever his office was? A.—Yes. I don't know. I never asked, because they paid the cheques and that is all I was interested in.

Q.—I am doing this, Mr. Chairman, because Mr. Boudreau requests that we give some attention to the matters connected with him. Here is another cheque for \$258.50, apparently charged back to the Dominion Drug on the third of December, isn't it? A.—Yes.

Q.—Do you remember the circumstances in connection with that? A.—No, I do not.

Q.—Eh? A.—I do not.

Q.—Then there was apparently a deposit on the fifth December of the same amount? A.—I cannot recall that particular transaction. The only thing, it was charged back, and it was arranged with a deposit a day or two after.

Q.—You do not recall how it was charged back? A.—I do not know—no.

Q.—A few days later, on the fifth of November, there is charged back to the Dominion Drug Company a cheque of \$283. Can you explain that? A.—I can't. There is the charge back and there is the deposit.

Q.—But don't you keep any record of cheques that are charged back to you? A.—Nothing only to take the—I sign for them at the Merchants' Bank when I take them out and I have them changed and re-deposited.

Q.—How do you mean you have them changed? A.—Well, a good many men coming in there will pick up a wrong cheque and in place of changing the cheque—I don't know if they have the money in that bank or not until I go to the bank and find out—and then I have to give the Merchants' Bank a receipt for that and I take it and re-deposit it when it is made right.

Q.—And you remember these two cases, where you were given two wrong cheques, one on December the third and the other on December the fifth, on the wrong banks and \$250 and \$283.50? A.—I do not know, but the cheques will show for themselves.

MR. BOUDREAU: I can produce the cheques any time. I will go and get them for you right now.

MR. EWING: For \$283. Now, where were these cheques made out? A.—They were made out, once or twice, I remember, they were made out in my office.

MR. BOUDREAU: Is there any cheque you want?

MR. EWING: November 16th for \$126.10.

Q.—Did the Dominion Drug Company give you cheques on different banks? A.—Yes.

Q.—What banks? A.—Royal and Merchants.

Q.—Just indiscriminately, sometimes on the one and sometimes on the other? A.—No; I was told by Mr. Boudreau that they kept their accounts in the Royal Bank because, as I told you before, the time I went up the Merchants' Bank teller told me Mr. Boudreau had no account there and I took the cheque up and had it changed and came down and deposited.

Q.—At that time Mr. Boudreau had no account at the Merchants'. It was simply a mistake? A.—That is all. I do not know whether he has an account there or not.

MR. EBBETT: This is not dealing with Mr. Boudreau. It is the Dominion Drug Company. The deposit would not be in his name?

MR. EWING: The cheque would necessarily be the Dominion Drug Company cheque.

I am speaking of him as president of the company. The Dominion Drug Company had no account there, so they told you? A.—Well, the teller told me so.

Q.—Can you tell me if the cheque of December third of \$258.50, if that was turned down for the same reason? A.—I do not know; I cannot recall it.

Q.—Did you ever take more than one cheque back to the Merchants' Bank because it was on the wrong bank? A.—I do not know. I cannot answer that. I do not remember. I do know of one that I went to the corner of Fourth and Jasper and had it changed.

Q.—“P.N. \$5.50.” What does that mean? A.—I do not know.

Q.—There is a charge back of \$5.50 on the fourth December. Do you know what that is? A.—I think it is Branderweir.

Q.—Who is Branderweir? A.—A man in Hardisty. And he paid me \$6.20 which I deposited in place of the \$5.50 and he bought something that day besides. His cheque was drawn on another bank and he did not have any money in the bank for it and I wrote him and he came up and I see in my own writing there on the 31st he paid me \$6.20 and I deposited to cover up the \$5.50 and he must have got something for the difference. It was a small sale he must have got. You understand it, do you?

Q.—Yes, quite. A.—\$6.20 and \$5.50.

Q.—What you say is on the 24th he purchased goods to the amount of \$550? A.—Oh, no—\$5.50.

Q.—Is that \$550? A.—He never bought \$550; he is only entitled to half a gallon a day.

Q.—Look, Mr. Webster. You remember this \$126.10 that you told us the cheque was on the Merchants' Bank for and then you went down and got one on the Royal? A.—Yes.

Q.—It was a cheque on the Merchants' Bank I wanted.

MR. BOUDREAU: I have got here the month of November. I have about ten or twelve cheques on different banks—Royal Bank, Dominion Bank, Union Bank and Merchants' Bank, that were written down at the Government Vendor's and scratched out and put the Royal Bank on it. But some of these cheques I forgot, and anybody might forget to strike it out.

MR. EWING: I think if you are going to make statements before the Committee you had better make them later.

MR. BOUDREAU: Well, I am making them for your benefit. It is no benefit to me because I have paid those cheques.

MR. EWING: Here is a cheque of \$126 that on November the 19th you got in place of the cheque that was given you on the 16th. A.—Yes.

Q.—And deposited? A.—Yes.

Q.—Did you call the auditor's attention to these other two cheques, the \$258.50 and the \$283, that were not met? A.—I don't know as I did. I have no knowledge of it. That is, I have no memory regarding it.

Q.—Did you make that deposit yourself, or was it made by the Dominion Drug Company through their agent and deposited in the bank? A.—Yes; I made a separate deposit.

Q.—You did the same in this case? A.—Yes, in every case.

Q.—That is, you got the cheque and took it to the bank and deposited it? A.—Yes, as a special deposit.

Q.—Coming back, were these cheques ordinarily made out in your office? A.—Sometimes they were and sometimes they were not.

Q.—When they were made out in your office who would make them out? A.—Well, I think it was Mr. Boudreau.

Q.—He would just draw up the cheque. Would anyone else be there at that place? A.—Well, Mr. Rowans was there once.

Q.—But I am speaking generally. Was anyone else there when Mr. Boudreau was there? A.—No, not usually.

Q.—Would he make out the cheque before or after the liquor had been made up and handed over? A.—Before.

Q.—Then he would take the liquor away, I suppose? A.—No, he would not take it away perhaps for a day. But I might explain to you the system that I adopted, particularly with him. It was this, that when there was any liquor wanted Mr. Boudreau would bring down a blank application. What I mean by a blank is Mr. Rowland's name was to it, but the rest was blank and they would ascertain what liquor they could buy—they could not buy everything they wanted and someone would take and fill in the amount of the liquor. Then he would bring that application form away from my place and he would return it with the affidavit attached. And the reason I had Mr. Rowlands or requested that Mr. Rowlands sign it was that I knew it was an application from him.

Q.—Let me understand. He would bring down a blank application form? A.—With Mr. Rowland's name on it.

Q.—Signed? A.—Signed.

Q.—Let me see one of those, will you? I asked you to bring down the Dominion Drug Company's purchases from a certain date. You have it there, Mr. Chairman, from the 28th October to the 26th November.

MR. EBBETT: I do not think there was anything special in connection with the Dominion Drug Company.

THE CHAIRMAN: Take all records of sales for the months of October and November, 1918.

MR. EWING: All affidavits filed by Mr. Rowlands for the purchase of liquor from the 28th October to the 26th November, both inclusive. Turn up something in October or November of that year, 1918. A.—Here is November. There is one right there. I demanded of Mr. Boudreau or of anybody that came that they should have a signature on there before I would undertake to fill an application.

Q.—Mr. Boudreau would come down to your office some day with this application form—your regular application form in blank signed by Mr. Rowland? A.—Yes.

Q.—And then what would happen? A.—Then he would ascertain what he could get—how much he could get.

Q.—What do you mean by that? A.—I mean this, that in some cases we did not have what he wanted and we had to give him what we had.

Q.—Then he would ascertain what he could get, that you had in stock? A.—And I would take and write it down here—I would fill it in here. Then he would take this up to Mr. Rowland, as he said, to make the affidavit.

Q.—Now take this particular case. Is that your writing there? A.—Yes.

Q.—He brought it down in blank signed by Mr. Rowland? A.—Yes.

Q.—And you filled in what you agreed upon he wanted? A.—Yes.

Q.—And he took it away with him? A.—Yes.

Q.—And he came back with it signed by himself? A.—And sometimes he paid for it at the time he took this away and sometimes he didn't. But he always paid over before there were any goods begun to be put up for him.

Q.—Quite so. Mr. Boudreau would come back personally with this application form signed by him? A.—Signed by him.

Q.—That is, the jurat signed by him? A.—Yes.

Q.—And when would he pay for it? A.—At the time this was put up or when he brought it back, either one or the other.

Q.—Mr. Boudreau would give you a cheque of the Dominion Drug Company? A.—Would give me the cheque of the Dominion Drug Company when I had written this out. In some cases he paid it right there and then and other days he did not pay it until the afternoon or the next morning when it came back to be filled.

Q.—Did you write it "For druggists' purposes?" A.—Yes, that is my writing.

Q.—And "To be used by me on Fourth and Jasper." A.—Yes.

Q.—That really meant it was to be used by the Dominion Drug Company? A.—No, it was to be used by Rowlands.

Q.—You knew he was only a druggist for the Dominion Drug Company? A.—He was a registered druggist. That is all I know. I did not know their business relations. I have nothing to do with that.

Q.—I know, you are not concerned with the druggist. A.—I knew Mr. Rowlands was a druggist and I sold to him and he said he was on the corner of Fourth and Jasper.

Q.—And you knew that was the Dominion Drug Company's store? A.—I learned that afterwards.

Q.—Who did you learn that from? A.—Well, I learned about it here the other day. I did not know what relation Mr. Boudreau had to that store or who operated it.

Q.—But he did some of the buying? A.—Yes.

Q.—And he did the paying? A.—Well, he gave me that cheque.

Q.—He gave you all the cheques of the Dominion Drug Company? A.—Mr. Rowlands brought down some of them.

Q.—How many did he bring down? A.—I could not tell you. I know he brought some; how many, I do not know.

Q.—But they would be cheques of the Dominion Drug Company, too? A.—I think so.

Q.—And they would be honoured by Mr. Boudreau? A.—I do not know what position he occupied at all.

Q.—Did they bear his signature? A.—Yes.

Q.—By the way, there is no limit to the amount which you can sell to any drug store? A.—There is not.

Q.—That is, you can sell any quantity of liquor you like, any day, to any drug store? A.—Yes, sir, or twice a day.

Q.—According to the law. As many times a day as you like? A.—Yes.

Q.—Do you keep any record of the amounts that are purchased from time to time by the separate druggists? A.—I could ascertain that from the information which I have on these sheets. But I kept no account.

Q.—Who were some of your big customers in Edmonton? A.—Well, if I remember—does that come, that I have to tell everyone, who is the larger or the smaller?

Q.—Not if you do not know. A.—Well, I do know. But I say: "Am I at liberty"? I am asking the chairman am I at liberty to take and divulge other men's business?

MR. HOADLEY: Sure he is at liberty.

THE CHAIRMAN: I do not know that he is. This is a private business. Just wait a moment. You want to find out who was buying the liquor there?

A.—You see that was the other man's business.

MR. EWING: No, that is this province's business.

THE CHAIRMAN: You had a man go down there and go through these papers for you. Could not he find that out?

MR. EWING: He did not find out all. I am simply asking who the biggest customers were. I suppose the public, whose business he is doing—the Government of this province and the people of this province, as a matter of fact, are in the business of selling liquor to privileged persons in this province, and I suppose the people have a right to know who they are selling to and who is their best customer. It seems reasonable to me.

THE CHAIRMAN: Answer it, Mr. Webster. A.—What is your question?

MR. EWING: I am asking who is your largest customer in Edmonton. A.—Since I have been in business?

Q.—Within the last six months? A.—I think Mr. Archibald is.

Q.—You think that drug company purchased the largest amount of liquor? A.—Yes, in the last six months.

Q.—And who was next? A.—I am only speaking from memory, but I think either Mr. Hill or Mr. Boudreau.

MR. BOUDREAU: I have no objection to Boudreau, but you had better mention Mr. Rowland.

MR. EWING: It should be Rowland. A.—Yes.

MR. DAVIS: Which Mr. Hill is it?

THE CHAIRMAN: Is there more than one Hill buying from you? A.—No.

THE CHAIRMAN: Then Mr. Hill, the druggist.

MR. EWING: Just tell us one or two others. I do not want to single out any particular one. A.—Mr. Smith, Mr. Nicholson.

Q.—What drug store does he carry on? A.—I don't know. He is along Jasper there somewhere. And F. C. B. Wilson; he lives on 124th Street, I think, and Mr.—there is somebody else that buys—Mr. Heath; that is most of those applications are under the form of W. G. N. Johnston, who is a druggist there.

Q.—Mr. Graydon? A.—He has not bought as much until lately as some of the others, but he is——

Q.—Coming on? A.—He is getting into the limelight.

Q.—You have given us now most who have come into the limelight? A.—Well, there are some others.

Q.—Your practice apparently is this—you must have the signature of a registered druggist, and you are not concerned with whether he is merely an employee or whether he owns a drug store? A.—I don't know any of his private business. That is a matter I have no control over, and I would not ask a man, if he is on the list.

Q.—You do not concern yourself about that? A.—No.

Q.—And if a man is a mere employee of a drug store and he is a registered druggist and if he comes along to you, you sell him and whoever likes can take it away and pay you for it? A.—I sell the registered druggists only. I don't know whether they have any regular business than liquor or not—I don't know.

Q.—Now take in the case of the Dominion Drug Company. Who ordinarily called for the liquor? A.—Well, I don't know as I could recall their names; a man from the Starr Messenger, that is a car used to call for Mr. Rowlands quite often, and then there was somebody else, but I do not know his name.

Q.—What evidence would you have that he was the right man to deliver this liquor to? A.—As a rule they would send a little order: "Give Mr. So-and-So"—on a slip of paper—"liquor" or words to that effect.

Q.—Have you any of these orders here? A.—I may have some on file.

Q.—You kept them? A.—Well, sometimes I do; after liquor goes away and I know it has gone to the proper party——

Q.—How do you know it has gone to the proper party? A.—Well, if it did not go to the proper party they would be very apt to find out from me what became of it.

Q.—If no complaints came within a reasonable time you would destroy these notes? A.—I would judge they had received their goods.

Q.—Would Mr. Boudreau take them away in his car sometimes? A.—Mr. Boudreau and Mr. Rowlands were down there one day and there was a car there. I don't know whose car it was, and Mr. Rowlands carried out one or two parcels and I noticed Mr. Boudreau carrying out one parcel. That is the only recollection I have of it.

Q.—That is that one transaction? A.—Yes.

Q.—Was that the only transaction of that kind? A.—That is the only transaction that I can remember at all.

Q.—Apart from that you delivered it to a messenger or to some drayman? A.—Or Mr. Rowlands was down himself.

Q.—Did he come often? A.—No, not as often, perhaps, as Mr. Boudreau came. But Mr. Rowlands usually took it away when he did come.

Q.—And did Mr. Boudreau take it away when he came? A.—No.

Q.—When Mr. Boudreau came it was taken away by a messenger? A.—By some drayman or some person of that kind.

Q.—On an order signed by whom? A.—Rowlands, chiefly, at least I think so.

Q.—Who, at other times? A.—Well, there was Mr. Brown that I remember, signed a little order.

Q.—Would it be signed by the Dominion Drug Company? A.—I could not say that. I do not know.

Q.—You do not know whether you have any of these on file or not? A.—I do not know.

Q.—I asked you to bring all the applications of the Dominion Drug Company covering a certain period. I notice you have brought them all down, but have not separated them? A.—Well, I could not separate them. They are all there. They are all tied together and on that file and regular.

Q.—Oh, yes, I am not questioning their regularity, Mr. Webster.

THE CHAIRMAN: All affidavits filed by Mr. Rowland for the purchase of liquor, not the Dominion Drug Company?

MR. EWING: They are filed by Mr. Rowland. You are not setting that up, are you? A.—What?

Q.—The Chairman suggests it is the Dominion Drug Company and it should be Mr. Rowlands. Your sale, as far as that is concerned, is to Mr. Rowlands? A.—To Mr. Rowlands.

Q.—But it is only the payment that was made by the Dominion Drug Company? A.—Yes.

Q.—I see. You have brought them all down. A.—I asked Mr. Browning and he told me to bring them all down.

Q.—Well, it is perhaps some misunderstanding. Can you give me an idea how much liquor was purchased by the Dominion Drug Company in the month of November? A.—I did not sell to the Dominion Drug Company.

Q.—Can you tell me this, then; can you tell me how much liquor was paid for by the Dominion Drug Company? I won't draw the distinction particularly myself. A.—Well, I perhaps might do that by the deposit slips in the month of November.

Q.—Do your deposit slips show the separate— A.—Well, I put them down there for my own safety. That is so I would know if any errors took place.

Q.—Perhaps we had better not take up the time of the Committee in going through that just now. A.—They will all be there; 12th, Dominion Drug Company, \$40.

Q.—Well, I won't take up the time of the Committee doing it now. Would it be too much trouble to prepare that for me? A.—Well, if I can get—if Mr. Browning sends me a special man to let me do it, I will be pleased to let him do it. I have not the time. As I told you here the other time, when I am away the door is locked.

Q.—My information is—I just want you to tell me—my information is that the amount from the 28th October to the 26th of November was \$6,670.70. Would that be approximately correct, according to your memory? A.—I would not be safe in saying it. I never totalled it up or even looked at it.

Q.—Well, perhaps we had better have that totalled up. Here is a list dated November 26th—Special List of outstanding accounts on the evening of November 6th, 1918? A.—Yes.

Q.—What are those? A.—Those were requests made by Dr. Norman and they had not been paid for.

Q.—They were purchased by whom? A.—Dr. Norman would write a letter or 'phone over to me and ask me to send—well, to send to Donnolly, of Montentich, five gallons of alcohol, and that was due and those others were due, too. That is Mr. Binn's writing or somebody's; it is not mine.

Q.—It is not yours? A.—It is not mine.

Q.—And those were orders placed by Dr. Norman? A.—Yes.

Q.—Were they all placed by Dr. Norman? A.—No.

Q.—Who placed some of the others? A.—Well, I don't know as I can tell you now. I know one Sabbath evening I got a 'phone message from Mr. Douglas to—

Q.—What Mr. Douglas? A.—The Chief Liquor Vendor, to send somebody I think it is at Sanuedo, and I took my car and went down to the office and filled it up and brought it down to the Grand Trunk.

Q.—Filled up the car? A.—No, not the car, filled up the liquor. I haven't your failing, you know. I remember that case.

Q.—How much did you fill up on that occasion? A.—Two gallons, I think it was.

Q.—And whom did you send it to? A.—I could not tell you who it is now.

Q.—Is it in there? A.—I do not know. I will have to look to tell you.

DR. STATE: What date was that? There was a special doctor sent out there at that time—at one time during the flu? A.—Well, I do not know.

MR. EBBETT: You do not know what date it was? A.—It is entered here, November 6th.

DR. STATE: I think that would be it.

THE CHAIRMAN: Sent out where? A.—To Sanuedo; it was sent there.

MR. EWING: There is Dr. Connolly? Do you remember that case? A.—Yes. I do not remember that.

Q.—Dr. Connolly, of Mundare? A.—Or is it Monitor?

Q.—Would you give that order, for example, for what it is? A.—Well, 6 b 71, 6 c 71.

Q.—What is that—\$6.71 or what? A.—I do not know what it is.

Q.—Who wrote those in this book? A.—I do not know.

Q.—Those are your books? A.—They are. The Auditor would perhaps know. That is the folio numbers, perhaps. It says "Paid," "Paid," "Paid."

Q.—I notice you have there: "Dr. Norman rendered." A.—I can't read that. You ought to be able to read it better than I am.

Q.—Well, I do not know whether I can or not. Did you get any affidavits for this liquor? A.—No.

Q.—You did not get any affidavits for this liquor? A.—No, I do not think it.

Q.—There is twenty, thirty, thirty-eight gallons of liquor for which you have not any affidavit? A.—Yes.

Q.—You did that because it was ordered by Dr. Norman? A.—By Dr. Norman and Mr. Owens I think might have ordered it.

Q.—It is not correct, then, to say that no liquor goes out of your office without an application and the affidavit? A.—On the order by request of Dr. Norman or Mr. Owens or some person higher in authority than I am.

Q.—You mean to say you would not accept the order of any one in the Department not higher up than you? A.—No, I would not.

Q.—Whose order would you accept? A.—Dr. Norman's.

Q.—And anyone else? A.—Mr. Owens, when Dr. Norman was away, or I would accept Mr. Boyle's order or Mr. Browning's order.

Q.—Now, I notice here is a number, in Mr. C. E. James, of Grande Prairie. Who is C. E. James? A.—He is a druggist.

Q.—I notice on the fifth day of November he got, if my additions are correct, thirty-seven gallons of liquor. That is marked "No affidavit." What do you say about that? A.—I don't know much about this.

Q.—But you would make up those goods, wouldn't you? A.—They would be made up by Mr. Munroe. We can hunt that up. I do not know just now.

Q.—In one day there was apparently about thirty-seven gallons of liquor shipped to Mr. C. E. James and the record itself says "No affidavit."

MR. EBBETT: What is the date?

MR. EWING: The date of these particular shipments, I take it, was November the fifth? Who paid for that liquor of Mr. James? I see it is marked "Paid" after the last items of six gals. of Seagram's Rye. I suppose that means all the items were paid for? A.—I would suppose, for I don't know. I don't know anything about this.

Q.—Who marked that paid? A.—I don't know.

Q.—Do you know when they were paid then? A.—They were either paid or charged up to the Government by order of Dr. Norman. Dr. Norman—I remember about someone getting a statement of what Dr. Norman got.

Q.—Didn't you keep any? When you let this out of your store, what record had you of it? A.—I had a record on the sheets.

Q.—On what sheets? A.—Oh, some of those sheets, for instance like that.

Q.—Do you mean you would have a receipt? A.—Yes, from Dr. Norman, like that.

Q.—Can you turn up receipts for this? A.—I have not got them. They went down—they were taken out of my office and brought down to Dr. Norman.

Q.—I am looking for Mr. James. Will you turn that up; on the fifth of November he got quite a large quantity of liquor on that date? A.—Look through that book and see if James is there. It says "No affidavit."

Q.—I am afraid it will take too long just now. A.—You can get that if you will send any person down to the office.

THE CHAIRMAN: Make a request for that and we will find it for you.

MR. EWING: We will do that. The Vendor's records of the sales of Mr. C. E. James, of Grande Prairie, on the fifth November, 1918. You did not keep your place open on Sunday, did you, at all? A.—I did one day.

Q.—When was that? A.—I came down there one day; yes, I came down there twice, during my tenure of office there.

Q.—Yes? A.—I came down once to get a bottle of champagne for Dr. Braithwaite. He said he had a very ill patient at the hospital and he 'phoned me up first and asked me if I would do so. And I thought the matter over and said "Yes, I will do so if it is for a sick person," and I came down on the Sabbath Day, contrary to law.

Q.—Well, I do not mind about that. A.—Well, it is contrary to law right enough and I came down and I gave him a pint of champagne.

Q.—Do you know C. E. Stiles, Sanuedo? A.—I do not, no.

Q.—Is he a privileged person? A.—I do not know.

Q.—I will read a letter addressed to yourself.

THE CHAIRMAN: If this is 1919 accounts I must ask this investigation to cease right here. We cannot go into 1919 affairs.

MR. EWING: They are on the table; that is the accounts for 1918.

THE CHAIRMAN: Anything in 1918 is all right, but not in 1919. We cannot go into that matter.

MR. EWING: Well, I thought we would have an investigation.

THE CHAIRMAN: Well, you understand my position? Am I not correct?

MR. EWING: Yes, you are technically correct. Well, keep that letter until next year, and I will call you then.

Q.—Now, here is a continuation of Dr. Norman's orders. These, I notice, are marked C.O.D. What is that? A.—That means cash on delivery.

Q.—That is, you sent them to Dr. Norman cash on delivery? A.—No, I did not. I sent them to those parties.

Q.—And they were not sent C.O.D. I take it? A.—No.

Q.—What I don't understand is this—how could you manage to keep your books when someone else was ordering liquor and someone else marking it paid when it was paid? Who did that money come to—to you? A.—No, that money did not come to me. They must have been paid by the Government or someone else.

Q.—To whom? A.—I do not know. I haven't got the money for it yet and it is charged up to Dr. Norman.

Q.—You have not got the money for any of this yet? A.—Yes, for the C.O.D.

Q.—But apart from the C.O.D. stuff? A.—No.

Q.—How do you keep the balance of your books, then? Here is gallons and gallons of your stuff that is out and not paid for? A.—That is a charge account to Dr. Norman.

Q.—Is it all charged to Dr. Norman? A.—Yes, it is all charged to Dr. Norman on his orders.

Q.—Here is C. E. James, no affidavit, and druggist, and it does not say that is charged to Dr. Norman unless that is intended to be— A.—Well, I do not understand it. Those were sent C.O.D. and then the express company would not take any by C.O.D. orders.

Q.—Now I want to draw your attention to your sales for the 26th November, 1918. Apparently the total there is \$212.90. I see on a sheet bearing date November 4th, 5th and 6th, sheet 2108 there is written in red pencil "Correct total, \$3,445." What does that mean? A.—That is my writing there in checking it over.

Q.—Checking what over? A.—Checking over those amounts when the Auditor came in.

Q.—Was that the amount of cash you had on hand? A.—That was the amount of cheques and money that was on hand to pay those bills. You will notice in the bank book, we could not deposit everything and we deposited in bulk. There are blank deposits put in.

Q.—And what were they? A.—Well, I did not want the money around the place.

Q.—Do you mean to say you had \$3,445 on hand? A.—Yes.

Q.—On the 4th of November? A.—Yes; it says correct total. It does not say on hand; it says: "Correct total of those additions."

Q.—I am asking if you had it on hand? A.—No.

Q.—Correct totals of what additions? A.—4th, 5th and 6th.

Q.—That is, the correct total of the 4th, 5th and 6th is \$3,445? A.—Yes.

Q.—Now then, show me your deposits as of that date? A.—Well, they are from here on, \$1,927, \$1,667—

Q.—Those are your deposits each day. I notice on November 2nd you made two deposits \$1,667 and \$4,680? A.—Yes.

Q.—You deposited some \$6,200 on November 2nd? Would that be the preceding day's sales? A.—No, it was money that had accumulated and for which most of the goods were sent out. But in order—

Q.—How long had you been accumulating about \$6,000? A.—From there—was the last deposit on the 29th October and then this accumulated on the 2nd, 4th, 6th and 7th.

Q.—How many days would that be? A.—The last deposit was on the 29th for \$1,483.75, and then it ran down to the 7th and I suppose, and it may or may not have included the 7th, and that would amount to something like \$19,000. That is from just looking at it here. But I did not want to keep the money and cheques down there, so I deposited it in bulk and I think, if my memory serves me right, Mr. Binn, who was the Auditor, went up with me to the bank and made out some of those deposit slips. He thought it was wise to have it up there because the safe I had was only a little old safe and I did not feel safe in allowing the money to accumulate there, and I made that deposit as long as the amounts came in so as not to have it there in any danger.

MR. EBBETT: Previous to filling the orders?

A.—Oh, yes, before the orders were filled. Mr. Binn would perhaps know more about that than I would because he made out the deposit slips and we both went to the bank and there were so many of them that it took us half an hour to get it added up there.

Q.—He assisted you? A.—He was working at the books then, auditing the books, so I asked him if he would come up with me. We talked it over and he thought it was wise to deposit the money. You see we did not have time to make out the daily sheets.

Q.—At that time? A.—At that time we did not have time.

Q.—You mean you had not sufficient clerical help? A.—I had no help at all only Mr. Munroe, until I came down to Mr. Boyle and made a row with him about working until midnight and after and he sent me Mr. Thompson, and I think a man by the name of Downey came there three or four days.

Q.—Do you remember when Mr. Downey came? A.—It must have been somewhere along the sixth because I remember he was there when Mr. Thompson was there.

MR. EWING: How did he come to be there? Do you know? A.—I do not know.

Q.—Didn't he tell you? A.—No, he didn't tell me.

Q.—How did he do—just walk into the office? A.—He came in and said he had come to help me.

Q.—And I suppose you were glad to receive assistance? A.—Yes.

Q.—I want to draw your attention now to another matter. I read from a portion of a letter addressed to F. G. Forster, dated November 4th, 1918, from the Honourable Mr. J. R. Boyle: (Reading): "I cannot agree with your contention that liquors in the Vendor's stores should be "diluted with distilled water or reduced by any process. This practice must be immediately "stopped. In future all liquor of every kind including alcohol will be sold to the parties entitled "by law to receive it from the Vendors' stores in exactly the condition it is received without "dilution or reduction of any kind whatsoever." Was that communicated to you? A.—It was not.

Q.—What? A.—It was not.

Q.—Did you get any information or instructions from anybody that liquors were to be sold as they were received without dilution? A.—I got no instructions from any persons.

Q.—And you continued to dilute? A.—I did not. I never diluted any liquor.

MR. EBBETT: There never was any evidence he diluted liquor.

MR. EWING: I know that.

MR. EBBETT: Well, the question was hardly fair.

MR. EWING: I am asking if the liquor which you sold was diluted liquor? A.—I thought some of it was.

Q.—Well, you would know that, wouldn't you? A.—Well, I think I would, because I am a fairly good judge of liquor.

Q.—You are? A.—I think I am. I have made it and sold it and drank it.

Q.—You ought to be a good judge? A.—I have not drank very much for the last 50 years.

Q.—What I want to get at is, was this direction of the Attorney General carried out? A.—I do not know.

Q.—You were selling the liquor? A.—Yes, but liquor sealed up I would not open it.

Q.—But take the liquor that was unsealed? A.—Unsealed liquor—I do not think it would be diluted. That is out of barrels. I do not think it was. I think I would have detected it quickly if it had been diluted with water. You understand what I mean—bulk liquor in barrels.

Q.—Were you selling them liquor at proof or over proof? A.—I do not know.

Q.—You told us the other day you tested some? A.—I did; some was proof and some of it was not proof.

Q.—The ordinary is 20 or 25 under proof? A.—The ordinary rye is 25 under proof or near that.

Q.—And when you buy rye—when it is bought in the ordinary condition, what is its strength? A.—It usually stands from 74 to 75.

Q.—What do you mean—over proof? A.—No; that is standard. Standard is 100. Take everything at 100. Standard is 100 per cent. commercial proof and then 74 would mean 74 hundredths of standard.

Q.—And 25 would mean? A.—25 under 75 hundredths of standard. Do you understand me?

Q.—No. A.—25 under is the same as 75 hundredths proof.

Q.—What is meant by the expression "Under Proof"? A.—75 hundredths of proof—25 less than a hundred—25 under proof.

Q.—What is underproof—gauge at which liquor is ordinarily sold? A.—What kind?

Q.—Take rye? A.—74 to 75.

Q.—Under proof? A.—No, 25 to 26 under proof.

Q.—But put on that basis? A.—Yes.

Q.—Treated in that way, what is it ordinarily bought at? A.—Well, it is bought—

Q.—It is not mentioned? A.—No.

Q.—It is bought regularly at 75 and sold at 75? A.—You can buy malt liquors 100 per cent. proof. You can buy it at any alcoholic strength but the usual custom is, it was bought at 25 under proof and sold as I got it.

Q.—Take some of the other liquors. Are there not a number of liquors that are bought higher than they are sold? A.—Yes.

Q.—What are they? A.—Well, rum, or you could get brandy; it is a higher spirit. And I have done, I have diluted liquor in the east during the Scott Act, I was vendor there and under the law at that time I could sell liquor, and I bought higher there and I did bring it down to the ordinary strength, 75 hundredths or 25 under proof.

Q.—As far as you know, after the fourth of November, 1918, was any change made in the strength of the liquors that you were selling to the public—the privileged persons? A.—I do not know anything about it. I had nothing to do about buying the liquor. All I did was when it was bottled up for me, I sold it.

Q.—And you occasionally tested it with your Sykes Hydrometer, didn't you? A.—That was on draught I usually did when I did it. Sometimes I did not have it; Mr. Forster kept

under his control and in his own part, and sometimes when I could get hold of it I would test it.

Q.—Let me read another portion of Mr. Forster's letter. (Reading): "I repeatedly talked to both the vendor and his assistant in the liquor room—about customers being in the liquor room. They are there simply because he has allowed it to become a custom. The trouble and responsibility are entirely his and should not be laid at my door." What have you to say to that? A.—Read it slow.

Q.—(Reading). "I have repeatedly talked to both the vendor and his assistant about customers being in the liquor room." A.—Yes.

Q.—(Reading): "They are there simply because he has allowed it to become a custom." A.—Well, what did happen was this, that draymen would come in there to take their liquor away and the men from the shipping points—The Dominion and the Grand Trunk express and all those express men would have to go there and get it. There was no other place to get it.

Q.—It is true he had repeatedly talked to you and your assistant about customers being in the liquor room? A.—I have no knowledge of any such statement. He was there nearly all the time himself.

Q.—Didn't Mr. Forster speak to you about having these men in there? A.—No, he did not.

Q.—And when he says you had allowed it to become a custom you mean the draymen and men of that type? A.—They had to get it from somewhere.

Q.—But they were the only people allowed in the room? A.—No; once or twice I remember about one or two of the druggists going in there and one or two of the doctors went in there and looked at what was on the shelf for to see what they wanted.

Q.—Mr. Forster says: "I have repeatedly talked to both the vendor and his assistant about customers being in the liquor room." That is not draymen? A.—No, they would not be customers. But there was a druggist or two and some doctors. I cannot recall how many times they would be in there, but some doctors would want to get a certain kind of liquor and they would perhaps follow me in or follow Mr. Munroe in. The door was there and there was no bolt on the door.

Q.—I am just asking as to the facts? A.—And we had to put a bar on the door to keep a man out and the way the office was constructed was that anyone would walk right in. There was a door and there was another door and if I went out here they could go out there if the door was open.

Q.—I am not saying you were to blame in any way. I am just referring to what Mr. Forster says. Then it was a custom for men to go in there? A.—It was not properly a custom.

Q.—Mr. Forster is wrong about it? A.—Yes.

Q.—Still, they did go in frequently? A.—Not frequently—no.

Q.—Well, they did go in, apparently? A.—Yes, or you could go in.

Q.—Did they go in? A.—Only a few times. They did not go in with me. I offended two or three men by asking them to stay out.

Q.—I am not speaking of whether they went in with your consent or not; I am speaking of whether they went in at all or not. I know they did not go in with your consent. I know you did not want them in there, but they did go in quite frequently, didn't they? A.—No, not quite frequently.

Q.—And you would say Mr. Forster is wrong about this, then? A.—He is certainly wrong. He has brought men in. Mr. Forster brought men in several times to look around. He had access to the place as well as I had.

Q.—Now, you have stated that the Chief Auditor never called your attention—that is Mr. Burley. A.—No, I do not know Mr. Burley. He may have been down there, but I never had an introduction to him. I know Mr. Binn.

Q.—Did anyone else do any auditing there? A.—I think he had some men there and I think it was Mr. Thompson he had checking, or something. This Mr. Thompson that made out one of these bills here, he would know perhaps better than I would. I cannot remember. I was busy at these other things.

Q.—In November was it ever brought to your attention, Mr. Webster, that there was a desire to curtail the orders given to the local druggists? A.—By whom?

Q.—By anybody? A.—Not to my knowledge.

Q.—You never heard anything of that kind? You never heard any suggestions from any of your superior officers that they should curtail—that there should be a curtailment of the amount of liquor which was being sold to local purchasers? A.—I think at one time in conversation with Mr. Forster, when we had only a very little of Sandy Mac 20-year-old he said to me it would be better for to not give the local men very much, that we would be better to keep it for the outside points, and then I had to tell men that we either didn't have it or I would not sell it to them and then in some cases they went in after me, telling these men that they could only have a little, they would go in and get more from Forster.

Q.—Whom did you tell that they could not get any more liquor—could not get as much liquor? A.—I told quite a number of the druggists.

Q.—Did you send out a notice to many of them? A.—Oh, no, no, but when they came and asked for it I told them. Mr. Archibald got very much offended one day because I would not give it to him, and I flatly told him I did not have to sell, the Act says I may sell. I told others the same; he was not the only one.

Q.—Well, now, did any orders come—you did that as a result of your conversation with Mr. Forster? A.—Of the stock being short.

Q.—You did not do that of your own initiative? A.—Mr. Forster told me he had only so much of this Sandy Mac 20-year-old in stock, I could not tell how many cases, but a number of cases anyway, and in general conversation with him we thought it was advisable to curtail everybody on that particular brand. I would give them what they wanted on other brands, but on that particular brand they could not get it because we were running low on it. And he told me there was none coming in until it was here from the Old Country.

Q.—After you decided to slow up on sales because you had not sufficient on hand, did orders come from anyone else to sell what was asked for? A.—No, not from anybody. I was carrying out the Act. I could sell to druggists and when they came in and I had the goods, I sold it to them.

Q.—Mr. Forster says, "Even yet I would consider it sensible and advisable to modify your orders to give the local druggists all the liquor they want. I do not consider that one-fifth of the liquors going out locally are being used within the meaning of the Act." A.—I have no knowledge of that. I do not know what he figured on.

MR. EBBETT: What date was that?

MR. EWING: After his resignation was accepted on the sixth. You do not know anything about that? A.—No.

Q.—You and Mr. Forster did talk it over? A.—Not at that time, but one time prior. I am only talking now from what I remember about a conversation he and I had about this particular kind of whiskey and I quite agreed with him that it was better to try and fill outside orders and make these other men do without or take something else, because, well, I had several reasons for thinking that it was a case of being far away where there was only one druggist in a place, to let him have something.

Q.—Here is another one, November 25th, 1918. By Mr. Forster, addressed to the Minister. I will read one sentence: "Some of the correspondence shows incidents and transactions contrary to the provisions of the Liquor Act and these were properly brought to the attention of the Deputy and the vendor as the files will show." Now you keep files, don't you? A.—What I have got here; those are all the files I have.

Q.—Have you any files that will show transactions contrary to law? A.—Not that I am aware of.

Q.—Was any transaction ever brought to your attention by correspondence—transactions which were contrary to law? A.—Well, I don't know of any. Somebody may have written me a letter, saying that I was violating the law, and I may have acted on that or I may not.

Q.—Have you got any of those letters? A.—Well, I have all the letters.

Q.—From whom would the letter be? Could you give me a point on that? A.—I do not know of any. I do not know of any letters, but I won't say.

Q.—Have you any correspondence on your files in connection with any violations of the law? A.—I think that I have from Mr. Forster at one particular time. He wrote me that I was violating the law in regard to giving Dr. McGibbon some liquor for Mr. Morris.

Q.—Have you got those letters here? A.—Not here. I think I have them on file, though.

Q.—Will you get, Mr. Chairman, for me, all correspondence received or sent out by the liquor vendor with reference to violations of the Liquor Act? A.—That is his statement of violation, but I did not always act on his statement.

Q.—I am speaking of alleged violations? A.—Put the word "alleged" there and might I add, Mr. Chairman, that I have been requested to furnish the letters that I sent to Mr. Forster?

Q.—Yes, surely; we want everything. A.—And would you put that—or any further correspondence—put it all in?

Q.—Bring down the whole lot, only I want you to keep it separate. A.—Put it on paper and I will try to bring everything I can, but I want to put the other in too.

Q.—I want to direct your attention to an application for the purchase of liquor by M. J. Rowlands, apparently? A.—Yes.

Q.—And sworn before Lucien Boudreau. The account of it apparently is \$352.25? A.—Yes.

Q.—The body of this is in your handwriting, is it not? A.—Yes.

Q.—Now, I notice there is attached to this a slip, a statement M. J. Rowlands—is that loose? It has been pinned to this and the pin has broken through. There is endorsed on it in lead pencil, "To send form and cheque tomorrow." Do you remember that occasion? A.—Yes. Mr. Boudreau gave me a cheque for \$352.25 written on a Merchants Bank cheque. When I was looking over the copy, I mean putting the money away, I noticed this cheque was written on the Merchants Bank without any erasing out. I noticed one of the cheques there and I took up the 'phone and 'phoned and asked for Mr. Boudreau. Mr. Boudreau answered, at least I thought it was his voice, and I told him about the occurrence and he said he would change the cheque in the morning and that he wanted another order and I told him to bring the blank down when he came.

Q.—To bring a blank what? A.—He said he wanted to get some more goods and I told him in the morning when he was bringing the cheque down to change the cheque that he had already given me, to bring a blank down. I demanded of Mr. Boudreau or anybody else that the person who did not come himself send his signature.

Q.—Under date of November fourth you say, "Put up and delivered." A.—Yes.

Q.—"Will return blank and cheque." That will be the next day? A.—Yes, that is what put down.

Q.—What happened is this. He got out a certain amount, probably \$345.25. A.—No, \$352.25. This slip here is what I used to send out to Mr. Munroe to put up the goods by and when it came in I did not like these slips to be scattered around so much and I would have those slips and as soon as I checked those over with these I destroyed them. How that got on to the back of that I don't know. It was put on by somebody for a purpose.

Q.—The purpose is quite plain. You telephoned Mr. Boudreau that the cheque was on the wrong bank? A.—Yes.

Q.—And Mr. Boudreau suggested he would send a cheque tomorrow and in the meantime he would be ordering some more goods and he would make one cheque do for both accounts? A.—No, he did not say that.

Q.—What did he say? A.—What I said.

Q.—I thought that was what you said? A.—No. I 'phoned and told him the cheque was drawn on the Merchants Bank.

Q.—That is after the goods were put up and delivered? A.—Well, they were put up, anyway. Those two kinds of writing there, I don't know much about it. But anyway, if the goods were delivered, which they may have been—but as quick as I noticed that cheque was there on the Merchants Bank, as I told you before, that he had done that before, I 'phoned to him and told him that the cheque was drawn on the Merchants Bank and it had to be changed and he said he would come down in the morning with the cheque and he wanted to get another order and I said to him to fetch the blank down, and the whole thing was only a counter memorandum so that I would know.

Q.—And he came. Do you remember his coming the following day? A.—Yes, he came the following morning.

Q.—And how much liquor did he buy? A.—I think it was \$319—something like that.

MR. EBBETT: What is the date of that requisition you are talking about at the present time?

MR. EWING: It is the fourth of November and it is pinned to an application of the date of the fourth November.

Q.—Mr. Webster says that Mr. Boudreau came down the following day? A.—The following morning.

Q.—And got some other liquor and wrote a cheque for the two purchases? A.—No, I did not say that. I did not say that.

Q.—What did you say? A.—I said he exchanged the one cheque; he gave me a cheque on the Royal Bank for \$352.25 and took away a cheque that he had given me the evening before for \$352.25, written on the Merchants' Bank in Edmonton. He exchanged that and he gave me a cheque for another purchase that we made up here, of \$319. And those two cheques should be dated on the fifth.

Q.—Do you notice that this sale is made on the sixth and is sworn to on the sixth? A.—That was when he took the slip up. This is not my writing here. He took the slip up of the goods he could buy; I do not know who wrote that; I did not write that. But he took the slip up, and he gave me a cheque that same morning for \$319 for those goods here.

Q.—On the morning of the sixth? A.—On the morning of the fifth.

Q.—That is, he gave you a cheque on the morning of the fifth. He gave you a cheque for \$319 for goods? A.—That were delivered on the sixth.

Q.—And that were purchased on the sixth? The affidavit was not sworn until the sixth? A.—Very well.

Q.—Had you sold it to him on the fifth? A.—I sold it to him on the fifth; that is, I gave him a slip.

Q.—The affidavit was not sworn until the sixth? A.—True, true. That is the day he took it away, but I gave him a list of these goods he could get. He brought this identical thing down to me. That is his writing or somebody else's and not mine, but before he got the goods his slip had to come back to me.

Q.—He came in to your store on the morning of the fifth and ordered \$319 worth of goods? A.—Yes.

Q.—Were these delivered on the fifth? A.—No, sir, the sixth.

Q.—And he paid you for them? A.—Yes, he gave me a cheque for them for \$319. He should have a cheque for \$319 dated on the fifth.

Q.—On the fourth when he says he will send form and cheque tomorrow, he did not send it? A.—Yes, he did.

Q.—Do you mean you got——? A.—This affidavit was not on it when I saw it. All I demanded was this—M. J. Rowlands—and then I gave him a little slip like that one, on these others.

Q.—Look, Mr. Webster. On the fourth November you sold him \$352.25? A.—Correct.

Q.—And you made up a memorandum on that date? A.—Yes.

Q.—Showing the amount of that purchase? A.—Yes.

Q.—And on that you endorsed, "Put up and delivered"? A.—Yes.

Q.—"Will return blank and cheque"? A.—Yes.

Q.—You endorsed that on it? A.—Yes.

Q.—And then you also endorsed in lead pencil to send form and cheque tomorrow? A.—Yes, he did, not that form, but he sent the other form.

Q.—Now, then, he sent you a form on the fifth that was sworn on the sixth? A.—True I think so; I suppose so.

Q.—How could he send a form into your office that had not yet been sworn? A.—It was only a blank and I gave it to him on a slip of paper that he could get those goods here. And after finding out what he could get it he took it away after paying me \$319 and we made up how much it would come to and he made me a cheque for \$319 on the fifth, the morning he brought down the other, and he took this back and the next day brought this in to me, or someone else—I won't swear that he brought it in to me, but someone brought it in to me and they did not get the goods until the sixth, and I entered the words up there.

MR. EBBETT: This evidence that you gave at the first of your examination this morning as to the procedure that was followed in some instances—— A.—Yes.

Q.—You said he came in with a blank signed by Mr. Rowlands and sometimes he would leave a cheque and he would take a blank and fill it out? A.—Yes.

Q.—Do you recognize that cheque. (Produced.) A.—Yes, I do.

Q.—What is it for? A.—It was for that sale that I made on the fourth November and gave him the cheque that he gave to me, for this.

Q.—And what date is the cheque? A.—The date is November the fifth.

Q.—And that is for the sale for which the cheque was given through mistake on the Merchants' Bank? A.—On the Merchants' Bank on the day before, and I think the goods were delivered that night, at least it looks to me so. I do not know now how this got here. It is the only one there and, as I said before, it was somebody who wished to show something wrong.

MR. EWING: Who do you think wished to show something wrong? A.—I do not know, but I can find out.

Q.—Find out who it is? A.—Well, I certainly will. I don't want that lost. That is what I asked who took it off that pin.

Q.—Is that your handwriting on this slip? A.—This is all my handwriting. I think it is. (Referring to slip of November fourth). That was just a memorandum that I kept.

Q.—And you did not keep this memorandum? A.—No, as quick as I saw that the amount was right and the bill was right, why I threw them in the waste basket. How that should have particularly got there, I do not know.

MR. EBBETT: Is this all your writing here? A.—Yes, it is all my writing; I think so. I think it was delivered on the fourth; it looks like it to me. I cannot remember. All I know is that that is a very essential thing for me to keep and I do not want it lost. The first time I saw it there was when Mr. Lowery pinned it on.

Q.—Do you remember if Mr. Boudreau had that cheque or did you give it to him, do you remember? A.—Had what cheque?

Q.—The first cheque on the Merchants' Bank? A.—I gave it to him, either that or he took it out of my drawer.

Q.—He did not have it with him? A.—No; he got it in the office and I might say further that there was no Royal Bank cheques there and if my memory serves me right he has used the Merchants' Bank cheque after and crossed the word "Merchants'" out and wrote "Royal" in. I think so; I am not certain. The cheques will show for themselves if he has them.

MR. EWING: While you were in the store acting as vendor, have you sent any liquor out except under proper authorization, besides what Dr. Norman and Mr. Owens ordered? A.—I have not.

Q.—Who was Dr. Norman? A.—Well, he is the Public Health Officer.

Q.—Employed by the Government? A.—I suppose so.

Q.—And Mr. Owens is in the same Department? A.—In the same department—yes. He would answer the 'phone occasionally.

Q.—And it was only through these two gentlemen that you have ever sent anything out except under proper authorization? A.—Yes.

Q.—Did Mr. Boudreau himself personally ever buy any liquor either directly or indirectly? A.—No. And he never asked me for any or never approached me in any form, shape or manner.

Q.—On December 24th you had a charge of \$550?

THE CHAIRMAN: No, \$5.50. It was first mentioned as \$550.

A.—\$5.50 was the amount. There it is as plain as can be and I have got \$6.20 Vanderwoort.

MR. EBBETT: Did all the patrons receive the same kind of treatment? A.—They did.

Q.—Did you ever have instructions from the Department to favour any class of people? A.—No, and I would not take any if they were offered to me.

Q.—And did they all receive the same treatment? A.—Yes.

Q.—Mr. Rowland received no better treatment to any of the other druggists in the city? A.—Not from me.

Q.—Well, that is what I am asking.

Committee adjourns till Monday, March 24th, at 10 a.m.

MONDAY, MARCH 24th, 1919.—COMMITTEE RESUMES AT 10 A.M.

MR. EWING: We are not continuing the meeting of the Public Accounts Committee this morning, are we? Are we undertaking the inquiry which was directed by the House?

THE CHAIRMAN: It is for the Committee to say. It is immaterial to me.

MR. EWING: I just learned at the door there that Mr. Forster is not here. Perhaps we had better enquire.

THE CHAIRMAN: I do not know—I have not seen him.

MR. EWING: Of course, it must at once appear to this Committee that we are here in a different capacity now from what we have been in previous sessions of the Committee—that is, we have simply been investigating things connected with the Public Accounts of this province. Now, we are acting under the special direction of the House as to enquiry concerning certain statements in a letter written by Mr. Forster to the Attorney General and reflecting upon the Honourable Member for St. Albert, and we are directed to make enquiry into the truth or falsity of certain statements contained in that letter and to report to the House. In other words, we are assuming a judicial capacity. This Committee is acting in a judicial capacity here and I suppose we ought to proceed as much as possible along judicial lines. I take a course, clear as far as I am concerned. I am not acting for Mr. Boudreau nor am I acting for Mr. Forster. I am simply here as a member of this Committee to enquire into facts. I am ready to examine or cross-examine any witness whom this Committee think it desirable I should. But I have no right to assume functions on behalf of anybody else in connection with this Committee. But I do not think it would be proper to proceed in the absence of Mr. Forster, who is a party to these proceedings. He is naturally interested in the result. The truth of the statements made in his letter is challenged and I think in justice to him he ought to be here, the same way as Mr. Boudreau ought to be here when the evidence is taken.

MR. MACKAY: Have you the telegram the Premier read from Mr. Forster?

MR. EWING: Didn't he say he would be here on Monday morning, or where did we get that impression?

MR. MACKAY: I gathered from that telegram he wrote the letter on the strength of information he received from two other people.

THE CHAIRMAN: Well, we will send for that telegram.

MR. EWING: I have a copy of it here. (Produced.)

MR. MACKAY: I gather from that telegram that Forster acted in an official way from information he received.

MR. EWING: Yes, there is a suggestion of that contained in the telegram.

MR. WEIR: I think if Mr. Forster is not here that he ought to be represented by counsel. I think that is only fair.

MR. MACKAY: There is no charge against Forster. We are not investigating any charge against Forster at all. He could at best be but a witness. Here is what he says: (Reading)—"Regarding Boudreau's transaction reported Minister in a letter of November 25th full details can be obtained from Downey, pool room inspector. He was sent for by Browning and put in Vendor's store Edmonton. He reported transaction referred to me at the time, said Boudreau transacted business with him and so on. And Auditor Binn is in possession of all details."

MR. WEIR: We are not a special committee, but we are a Committee authorized to make a special investigation and special report on a specific matter.

MR. MACKAY: We are special in that respect.

THE CHAIRMAN: I feel that this is a special committee for a special purpose when you go into the matter of enquiring into this charge of Mr. Forster. That is what I want decided on this morning—what you are going to do.

MR. HOADLEY: It distinctly says in the directions we received that the Public Accounts Committee shall proceed to do so and so. We are placed in the position of being a special committee. We are still the Public Accounts Committee.

THE CHAIRMAN: It is the Public Accounts Committee with a special reference to this matter.

MR. HOADLEY: Exactly; that is what it is.

MR. MACKAY: It is working specially, or technically—what you call it, does not matter.

Would it save time to go and examine these two men who are here, that he got the information from? He says "I got certain information and I made the statement on the strength of it." That is what the telegram means.

MR. EWING: Yes.

MR. MACKAY: Well, why not go on and examine the two men?

MR. EWING: I have no objection at all, but I think we ought to proceed with care in this matter. I do not know what Mr. Forster's viewpoint is. I suppose he naturally feels that his veracity is challenged and that the formal report which he made to his superior—that the truth of it is challenged and that if he does not make good, that to that extent his reputation is bound to suffer. I think if I were in his position I would want to be here to hear the evidence that is given. That is, evidence may be given by Mr. Downey, for example, different to what he supposes it is going to be, and there may be points in Mr. Downey's evidence that Mr. Forster will want brought out if he is here. I suppose there is nobody here who speaks on behalf of

Mr. Forster. I certainly do not, but I simply put that phase of it to the Committee, if the Committee choose to go on.

MR. MACKAY: I think it is pretty near apparent on the face of that telegram that Forster acted on information. He may have something else to tell, but if he got that information it does not matter what turns out after, whether it is true or false, if he got certain information and acted upon it, I should say he is not to blame even if it does not turn out as he said. Of course, I do not know either of the parties and I do not know anything about it. There is a good deal, Mr. Chairman, in what Mr. Ewing says. I would like to get on today and I think if we take Mr. Forster's telegram as the basis, that he is not able to give any real evidence at all himself, that the other parties are the people that he says reported to him. And on strict evidence I think we could go on with their evidence this morning, taking that as the basis. But Mr. Forster is interested in a way, as is Mr. Boudreau and, I think, if we had them together face to face it would be better. That is the square way of doing, although I would like to get on today and if I was in Mr. Forster's place I would like to be here and if I could not give evidence, I would like the privilege of sitting in front of him and looking him in the face and see if he is telling the truth and telling the same story he told before and if possible ask him a few questions. We want to get to the bottom of the whole thing. I think we ought to have them all here.

MR. WEIR: I think that is fair.

MR. MACKAY: We have got to be fair in this world.

MR. BOUDREAU: I have no objection that you give fair play to Mr. Forster. I think this Committee is right in asking Mr. Forster to be here and face the music.

MR. MACKAY: There is not much music in it.

MR. BOUDREAU: Of course, I would like to ask Mr. Downey to give evidence this morning. He is here.

MR. MACKAY: Is it not better that Mr. Forster should be here and hear it all? -

MR. BOUDREAU: I think I am fairer to Forster than he was to me in his letter because when he wrote that letter to the Attorney General he did not ask Boudreau is that true or not. At the same time, I am willing to wait until he comes back, providing he comes tomorrow or the day after.

MR. MACKAY: Well, he is on the way and we will be better all together. I do not want Mr. Boudreau to feel, there is nobody in the Legislature taking part in it, but I do not want him to feel he is not getting fair play, because I think a member in his position ought to have this matter investigated as speedily as possible. Don't you think that is fair, Mr. Boudreau?

MR. BOUDREAU: Yes.

THE CHAIRMAN: Well, then, we will go on with the ordinary work of the Public Accounts Committee this morning and if possible take up the other matter tomorrow morning.

WILLIAM JOHN WEBSTER, recalled, testified as follows:

MR. EWING: Have you all the records relating to the sales to C. E. James at Grande Prairie on November 13th?

(Produced.)

Q.—This is the record we had the other day. Is that all you have? A.—Oh, no, I have others.

Q.—Well, produce all the records you have.

(Produced.)

Q.—Whose writing is that? (Indicating.) A.—That is mine.

Q.—When did you write that? A.—On November 5th. It was a 'phone message which I submitted to Dr. Norman, and it was put on that special list.

Q.—Are these all special lists? A.—No, but they are entered from this into the record book and then from there on to the slip and the money taken to the bank.

Q.—This affidavit of course is neither signed nor sworn? A.—No; it is not an affidavit.

Q.—It is on the affidavit form, the amount of liquor being filled out, but it is not signed by the applicant and it is not, of course, sworn? A.—This is the same as this order. It should be.

MR. EWING: The amount of \$103.50? A.—Yes. You said the other day there was thirty-one gallons. Of course I knew nothing about it.

Q.—Is my addition wrong? A.—I don't know. It says here: "Quart bottles," and down here it says: "Five gallons."

Q.—Well, part of it is in quart bottles. The amount is not material, itself. \$103.50 is the correct price? A.—Yes.

Q.—This, apparently, was written out on the fifth of November; it was charged in your charge book on the sixth of November. Is that your usual practice? A.—I do not know. This is not my writing. This is the auditor's.

Q.—He had this book? A.—Mr. Binn must have had this. At least, I think that is his writing.

Q.—This is the book you ordinarily use in your office? A.—Yes.

Q.—Would it be ordinarily written in your office? A.—I think it would be written in the office. Perhaps I can explain a little of that. Mr. Binn was auditing the books up to and including the sixth and anything that had not been paid for up to and including the sixth he got a special list of it here so as to show it in the next audit. You understand?

Q.—Yes. A.—And this, as I understand, was put in for that purpose, in this book.

MR. WEIR: Is that all unpaid for stuff? A.—It was at that date—the night of the 6th.

MR. EWING: That represents liquor that had gone out and not paid for? A.—Yes, and not paid for and that I had to account for. I don't know his purpose of keeping that record, which I suppose was correct. He kept a record of the liquor that had gone out and that had not been paid for.

Q.—What record did you keep of the liquor that had gone out and had not been paid for? A.—Anything that I drew on I kept this.

Q.—These slips? A.—Those are express orders, C.O.D. orders, and I had this as a memorandum.

MR. WEIR: Whose figures are these? A.—Mine.

Q.—Well, were you sharpening your pencil after you made this here? A.—I could not tell you. I may have used a pencil or a pen.

Q.—Well, that looks as though it could very well have been written on the fifth of November. Those figures look fresh to me. A.—I don't know. I think it is written with the same pencil.

MR. EWING: Do you recall making out this particular document? A.—Well, I cannot specially recall it. It was a 'phone message from Grande Prairie and it was written down by me here and I submitted it to Dr. Norman and he told me to ship it.

Q.—You did that by telephone? A.—By telephone—yes.

Q.—You have no record of that? A.—I have no record of it only that and that is the goods sent him. That is the goods he paid me for, but he did not pay me for it until—well, this will show—those express papers will show.

Q.—When were you paid for them? A.—I think it was on the 27th of November, speaking from memory.

Q.—But that \$103 worth of liquor—you never had an affidavit for that? A.—Oh, no, no; never had an affidavit. I could not have.

Q.—And how much other liquor did you sell for which you did not get an affidavit? Show me your records, of all the liquors you sold for which you did not get an affidavit. A.—I cannot, here, because I did not bring them. I was requested to bring down that list I showed you.

Q.—You brought that, I see.

MR. EBBETT: I think you told us the other day that you had not sent any liquor out without the proper requisition and the money, without it was ordered by Dr. Norman—without you were instructed by Dr. Norman or Mr. Owens? A.—Mr. Owens or Mr. Browning or—

MR. HOADLEY: Or? Or someone else?

MR. WEIR: Or Mr. Boyle?

A.—Well, any person that was higher up than I was, that had authority to order me to do so.

MR. EWING: This particular one was ordered by Dr. Norman; you are sure of that, are you? A.—Yes, I am sure of that.

Q.—And he told you to send it without the affidavit at all? A.—Yes, he said to ship it to the man.

Q.—But he would know you were shipping it without complying with the law? A.—Why, certainly, I told him it was a 'phone message over the 'phone.

Q.—Is there anything in the Act—do you know of anything in the law—which authorized Dr. Norman to grant exemptions from the provisions of the Statute? A.—I do not know anything in the Liquor Act, unless there was an Order of the House or something of that kind. I don't know.

Q.—Do you know of any Order of the House in this case? A.—I did not, but I was told there was an Order of the House or an Order of somebody. But I don't know.

Q.—Who told you there was an Order of the House? A.—Well, I think it was Mr. Forster.

Q.—Mr. Forster told you there was an Order of the House permitting you to send liquor to Mr. James? A.—Not particularly to James, but to fill any orders that were required to be sent by Dr. Norman.

MR. LEFFINGWELL: Was that on account of the influenza? A.—Yes.

MR. WEIR: Well, it might not have been. But that is the inference, it was on account of the influenza.

MR. EBBETT: This is the time the influenza was rampant throughout the province? A.—Yes.

DR. STANLEY: Who is James? A.—He is a druggist at Grande Prairie.

MR. EWING: Who else did you actually get instructions from to send liquor without an affidavit? A.—I can't recall who, because there was quite a number of persons speaking to me about it.

Q.—You mean you got instructions from quite a number of people, did you? A.—Yes. I met Mr. Browning at one time and he told me. I think he told me that Dr. Norman was looking after the Health Department and in many cases it might be necessary to fill orders.

Q.—That is, without having the affidavit? A.—Without the affidavit—yes.

Q.—Did Mr. Browning instruct you to take Dr. Norman's orders? A.—Well, I can't remember that. It is very likely he did or else I would not fill them. I would not fill any orders for anyone unless I had some authority from someone who could demand of me to do so.

Q.—Were these orders all taken over the telephone? A.—No, some few were by telegrams.

Q.—Well, let us have some of the telegrams you have? A.—Well, I did not bring them down.

Q.—I want to see any letters, telegrams or instructions you got from anybody?

DR. STATE: Would this be an Order from the House? Would it be an Order in Council?

A.—I do not know what it would be. It would, perhaps, be an Order in Council.

MR. WEIR: Does it make much difference what it is? Who has authority to violate the Statutes of this province? I don't care if it is an Order in Council or if it came from Lord Ennis-killen. I want to know who has authority to violate the laws of this province.

DR. STATE: Would you prefer to see people die?

MR. WEIR: I would prefer to see them keep the law than get booze on the side.

DR. STATE: I would prefer to see them getting booze if their lives would be saved; well, that is just the difference between you and me.

MR. EWING: Here is one, December 26, 1918: "Will you kindly deliver to me two bottles "of Sandy McDonald whiskey to be used for influenza patients? Dr. T. J. Norman." You have no affidavit for that, have you? A.—I have no affidavit for that.

Q.—Why didn't you get an affidavit from Dr. Norman for the liquor which he himself ordered? A.—He could not make an affidavit before me for that; he is not a druggist. He is not a—

Q.—A privileged person? A.—No, I do not think he is, under the Act. I did not see his name on the list.

Q.—He is a medical practitioner of this province? A.—Is he registered?

Q.—Of course, I cannot say. I think he is. But I would be astonished if the Chief Medical Officer of this province is not registered.

DR. STATE: He could write a prescription but not for that amount.

A.—For half a gallon, if he is a doctor.

Q.—How much is a doctor entitled to get? A.—Half a gallon.

MR. EWING: Then these two bottles, 20-year-old whiskey, how much would that be? A.—That would be 74 ounces.

Q.—And how much would that be in gallons? A.—72-160's of a gallon.

MR. WEIR: Less than three-quarters of a gallon? A.—Yes.

MR. EWING: And it was because he was getting less than he was authorized by law to get that you did not have him make an affidavit?

MR. EBBETT: No, that is not the reason.

MR. EWING: Well, I was asking him.

MR. EBBETT: Well, answer the question, witness; that is not the answer—that he did not ask for an affidavit because it was less than three-quarters—

MR. EWING: As a matter of fact, he did sign an affidavit for that? A.—For this he did—yes.

Q.—And it was not sworn before anybody? A.—It was not sworn—no.

Q.—Can you give any reason for that? A.—I do not know.

Q.—You thought that Dr. Norman was your superior officer? A.—Yes.

Q.—And any liquor he wanted for himself or directed for anybody else you would hand out? A.—Yes.

Q.—And in some cases he signed an affidavit but in this particular case it was not sworn? A.—In that particular case it was not sworn. I did not know when it was signed.

Q.—How did he come to get that form of affidavit—that application? A.—I cannot recall that.

MR. WEIR: Whose writing is it?

A.—That looks to me to be the same writing as this other.

Q.—And whose is that? A.—T. J. Norman.

MR. EWING: I see all these liquors have been sent out without the affidavit. This all deals with liquor that has been sent out without the necessary affidavit? A.—Let me look at it and see.

Q.—Well, I mean as far as you know? A.—There has been a number of letters in here or applications outside of—when did you want it up to?

Q.—I will take all you have there? A.—When did you want it up to? Did you want it up to the present or up to last November?

Q.—December 31st, 1918.

THE CHAIRMAN: Is there anything there for 1919? A.—I do not think so.

Q.—If there is, just sort them out.

DR. STATE: I would say that during the 'flu we could not get liquor—medicine—which is liquor; we had to do without it. A.—I do not think I have anything here.

MR. EWING: As far as you are aware does the file which you produce—the file which you produce here—does it contain all the applications for liquor which was subsequently supplied without affidavit? A.—I think so, for 1918.

Q.—Were you supplying any before 1918 without an affidavit? A.—Oh, no.

Q.—The file here contains the particulars of all the liquor that you supplied, in your capacity as vendor, without affidavit? A.—For 1918. I may have supplied something in 1919.

THE CHAIRMAN: We are not questioning that at all.

MR. EWING: I am dealing with prior to the 31st December, 1918? A.—Yes.

Q.—And I also wish the question to apply to 1916 and 1917, during the time that you were vendor. A.—Yes.

Q.—During those times you supplied no liquor without an affidavit? A.—Without the affidavit, except during that 'flu time.

Q.—I see there are three forms of November fifth—two forms dated November fifth, both signed by T. J. Norman, M.D. One is I. W. Hayes, duly registered Executive Offices Health Board at Fallis, and signed T. J. Norman, and the affidavit was not taken at all. Well, the affidavit is not sworn at all. Did Dr. Norman sign these in your office, do you know? A.—No; Mr. Forster brought that to me.

Q.—How can you tell that? A.—Well, he brought it up and he signed his name here. (Indicating).

Q.—Oh, yes. That is his signature, is it? And he gave you authority? A.—Yes.

Q.—And this one is November fifth—Dr. McLennan, of Merna, in the same way? A.—Yes.

Q.—Who is A. M. Dechene? Do you know him? A.—No, I do not know him.

Q.—Here is A. M. Dechene of Boyne Lake. An order from the Provincial Medical Health Officer of November 27th: "Will you kindly give to Mr. A. M. Dechene one gallon brandy and "two gallons rye whiskey for use in the Boyne Lake district re epidemic. Mr. Dechene will pay "for this." And it is signed by Dr. Norman, is it? A.—Signed by Dr. Norman; those two go together.

Q.—That is not Dr. Norman's signature at all? A.—No—Dr. Norman's letter—it says there.

Q.—You do not know Mr. Dechene at all? A.—I do not know him at all.

Q.—There is a man up there employed in connection with the Government. Do you know him? A.—No, I do not know him at all.

Q.—Are you a commissioner? A.—Yes.

Q.—You sometimes swear these affidavits yourself? A.—I swear them all myself; that is where my signature is attached.

Q.—Is it the common practice to take the affidavits before yourself as a commissioner? A.—Yes, certainly.

Q.—You are doing that right along, are you? A.—Right along, and have been doing it. But any other commissioner could do the same thing, you know.

Q.—The law so provides? A.—Yes, the law so provides.

Q.—What is your practice in respect to that? If a man comes in—a privileged person comes in who is authorised to buy liquor, this certificate or affidavit is made out and he signs it and swears it before you. That is the ordinary practice? A.—Yes, the ordinary practice.

Q.—I notice that none of the affidavits Mr. Rowlands was connected with were sworn before you? A.—Well, they were sworn before another commissioner. I beg to differ with you. There was a number of Mr. Rowlands' sworn by me in my office.

Q.—I am speaking now of the great majority. I did not see any. I ran over the file and I saw scarcely any of them. And I think you told me what the general practice was with respect to Mr. Boudreau's applications for liquor. A.—Yes.

Q.—You said the general practice was that you made out in your own handwriting—that he brought a certificate signed? A.—Signed in blank.

Q.—And then you filled it out? A.—Well, not always. Some of the other men perhaps filled it out when I told them what was there.

Q.—And he took it away? A.—Took it away to Mr. Rowlands and brought it back to me with the affidavit attached thereto.

Q.—Taken before himself. Can you recall any instance in which it was not taken before himself? A.—Yes, some that I took when he came down himself.

Q.—Can you recall any instance in which Mr. Rowland took an affidavit where it did not come back sworn? A.—No, if he was there he would not take it away, he would swear it then and there. He would know what goods he was getting and I would retain the affidavit.

Q.—Quite so. Can you account for the difference—why that practice was pursued in that particular case? A.—Of Mr. Rowlands?

Q.—Yes? A.—I had my own personal reasons for that.

Q.—This was done by your direction, was it? A.—Which was done?

Q.—You said you had your own personal reasons? A.—I had my own personal reasons for being very careful when Mr. Boudreau was getting anything.

Q.—I see. A.—If he came down there without an affidavit, I had my own personal reasons.

MR. ATKINS: Do you mean Mr. Boudreau or the Dominion Drug? A.—Mr. Rowlands was the only person who had authority. The Dominion Drug Company could not take an affidavit. I did not know who they were.

MR. MACKAY: They could send an agent, I suppose? A.—Yes.

Q.—That is the reason we changed the Act a year ago, because it was ridiculous, a man living 200 miles away had to come in person.

MR. EWING: And Mr. Boudreau was acting as agent? A.—Exactly as I told you the other day is exactly what it was.

Q.—Here is one from who? A.—That is a veterinary surgeon.

Q.—Why have you that on this file? A.—Well, this is the sale of that day—November 27th. This is the sales sheet.

Q.—I see you have all the sales of that date here? A.—Yes, all that we have entered up

in the sales book. This is the sales book and this is the affidavit with the goods and there is another, you see. That affidavit is not before me, although it was in the office.

Q.—Oh, yes, I recognize it can be taken before anybody. A.—Yes, and there is another one there.

MR. DAVIS: Is that the only bunch of affidavits there are here? A.—I did not get an order to bring down any others.

Q.—But that is all there are here? A.—Yes.

MR. EWING: I want to get those that are not sworn. Now, take that one—take that order—an order of December 16th, 1918. Mr. Mills—who is Mr. Mills? Do you know Mr. Mills. A.—No, I do not know him.

Q.—That is the affidavit; you just wrote that “Charge to Dr. Norman”? A.—Yes.

Q.—How is it that in some cases Dr. Norman actually signed the application and in other cases he did not? A.—Well, if the doctor was up there he would sign the applications—if he was at the store.

Q.—If he was not what would he do? A.—Well, he would 'phone me or he would write me.

Q.—And you took his 'phone? A.—I took his 'phone or would take his letter.

Q.—George Menin? A.—It is the Athabasca Hospital—“Charge Dr. Norman, Board of Health”—George Menin, Athabasca Hospital, Athabasca.

Q.—That would probably be one you got by telephone too, from Dr. Norman? A.—I think so.

Q.—It was not signed by anybody? A.—No.

Q.—Rev. Fr. Dreau, Donnelly. That was charged to Dr. Norman per H. J. Cote? A.—Yes.

Q.—That was ordered by Mr. Cote, was it? A.—It was ordered by Dr. Norman.

Q.—What does this say here: “Ship and prepay express charges”? A.—It was to be given to The Honourable Mr. Cote.

Q.—“Phone order of Dr. Norman ship and prepay charges by H. H. Cote.” What is that? Is that “Charge”? A.—I don't know whether it is charge or check.

Q.—Isn't that “Charge H. H. Cote”? A.—Perhaps it is.

Q.—Did you charge that to Mr. Cote? A.—Well, it was charged to Dr. Norman.

Q.—You have on the application, “Charge to Mr. Cote”? A.—Well, he may have said to me Mr. Cote would pay for it. I don't know. It is not a very large amount—only \$5.00.

MR. EWING: It is only a gallon of ordinary rye, old rye, and Father Dreau—

MR. COTE: It seems to me I got some ordered all right and I told him that I would make good personally for it. That was the time of the Flu. We sent a nurse up there and I told him I would go responsible to Dr. Norman.

MR. EWING: Who did pay for it? A.—I do not remember.

Q.—Will your books show that? A.—Well, it would show a charge against Dr. Norman.

Q.—You did not charge it to Mr. Cote? A.—No, I had no power to charge it to Mr. Cote.

Q.—And there is one from Dr. Norman. You have not even the form of affidavit in that case? A.—No, it is just a letter from the hospital, from St. Paul des Metis Hospital, for \$13 and \$14, charge to Dr. Norman.

Q.—Here is \$32.50; Mr. J. L. Cote to pay for this? A.—Dr. Norman told me that he would pay for it.

Q.—That who would pay for it? A.—That Mr. Cote would pay for it.

MR. WEIR: Or see it was paid? A.—Or see it was paid.

MR. MACKAY: Is not this it? Wouldn't you charge it to Dr. Norman? A.—Yes.

Q.—He would collect from Cote? A.—He would collect it from Cote, or if Mr. Cote came and paid me for it I would give credit for it on this. In the meantime, I held Dr. Norman for it.

MR. WEIR: Mr. Cote, as a member, wanted to see this get out to the people and he assured you there would be no question of payment.

MR. COTE: I guaranteed the proposition. A.—That is all.

MR. EWING: This was received by the nurse in charge—Mrs. Jackson? A.—Yes.

Q.—I just wanted your method of doing this. I notice you endorsed J. L. Cote to pay for this? A.—Yes.

Q.—And on the memorandum which you sent out—“A man will call today—J. L. Cote—to pay”? A.—Yes.

Q.—Has that particular liquor been paid for? A.—I do not know.

Q.—Could you look up your books and tell me? A.—Those Dr. Norman ones were all charge in one bulk.

Q.—Has that been charged to Dr. Norman in your books? A.—Yes.

Q.—Just look it up. A.—Cannot find that because there was a special sheet made out for these accounts.

Q.—Where is that sheet? A.—It must be down here somewhere. Mr. Douglas brought it down to have the bill passed.

Q.—What bill? A.—Those accounts that were due the government.

Q.—I see. It is in the hands of the Attorney General's Department, is it? A.—Yes.

Q.—Can you get that, do you think? A.—I don't know; I suppose it must be on record.

Q.—You allowed out quite a large amount of liquor without any affidavit? A.—Yes, sir.

Q.—And in some you say it was to be charged to persons not connected with the Depart-

ment at all and I would like to ask you if your books show that that has been paid for? A.—I could not tell you. The bill was sent down to the Attorney General's Department and I do not know whether it has been paid for or not.

Q.—Have you a copy of the bill you sent to the Attorney General's Department? A.—I may have and I may not. Mr. Parks who was then the bookkeeper, made out a statement of these bills and sent them down and took it away with him and told me afterwards that he had given it either to Dr. Norman or someone down there.

Q.—Who was Mr. Parks? A.—Well, he was a clerk down there at that time.

Q.—Down where?

DR. STATE: As a matter of fact were any of these charged to any person connected with the Department? A.—They were not.

MR. EWING: Although the memo says charge the other people they were charged to Dr. Norman? A.—Yes.

Q.—And if The Honourable Mr. Cote came in to pay it you would accept the money? A.—Yes.

Q.—And you do not know whether he did? A.—Yes.

Q.—And your book would show who paid it? A.—It would.

Q.—Will you look up for me before you appear here again—will you look up for me each case in which you let liquor out without an affidavit, who it was charged to and who paid for it? A.—I will try to do so if you will give me a memorandum of what you want.

Q.—All right. I will give you a memorandum. Here is A. Archibald, of Smoky Lake, although Mr. Wells is apparently the person whose name appears on the affidavit? A.—Well, that is the application, isn't it?

Q.—Now, who else gave you orders to deliver liquor without the affidavit, besides Dr. Norman? A.—Mr. Browning.

Q.—How often did Mr. Browning give you instructions of that kind? A.—I can only recall one case.

Q.—Who else gave you instructions besides? You have named two now—Dr. Norman and Mr. Browning? A.—There was one case where Mr. Boyle 'phoned me to send liquor to somewhere; I don't know just where it was, now, because I haven't got the papers here. They may and they may not—but if I could see I will let you know.

Q.—Mr. Boyle 'phoned in an order? A.—Yes, and I sent the liquor out.

Q.—On his instructions? A.—Yes.

Q.—This application, Edmonton, November 13th, 1918, to Mr. Verreault, of Lac la Biche? A.—Yes.

Q.—Do you know Mr. Verreault? A.—I do not.

Q.—The order is "One gallon of brandy, \$15.00." I suppose that is in your handwriting? A.—That is in my handwriting. I think that was 'phoned to me by Mr. Boyle.

Q.—I see you have here, "On the Honourable Boyle's 'phone order"? A.—This was only put on as a memorandum to show where the liquor went to, because I had to account for the liquor that was given to me.

Q.—Then in accordance with that you shipped out the liquor to Mr. Verreault at Lac la Biche? A.—I shipped it out.

Q.—Here is a memorandum attached: "Paid for cartage, \$1, included in cheque. Cheque is for \$39.50." J. W. Cimme, who is that? A.—I don't know.

Q.—Have you anyone in your employ anything like that—Cimmie, I think it is? A.—I can't recall it. Wait and see if I have the cash book here. No, I haven't it here, I only brought up the papers I was instructed to bring up. This seems to be in Mr. Clarke's writing.

Q.—Who is Mr. Clarke? A.—He was there for a week or ten days taking in the money.

Q.—Can you tell me who paid for that liquor? A.—I do not know—this has been torn off.

Q.—Who do you think tore it off? A.—I do not know, perhaps down here, I could not tell you anything about it.

Q.—You have no recollection of the transaction at all? A.—Not without the book.

Q.—You have a recollection of Mr. Boyle telephoning you? A.—I have a recollection of one evening Mr. Boyle 'phoning about 10 or 11 o'clock at night.

Q.—And you sent it next morning? A.—I sent it that night.

Q.—You went back to the liquor store and sent it out that night, did you? A.—Yes.

MR. WEIR: Who is Clarke? A.—He is a clerk down at 'phone 1339, down in the Attorney General's Department.

MR. EWING: Was this the only occasion or on how many other occasions did you get instructions from the Attorney General? A.—I cannot recall any other.

Q.—Now, here is one apparently charged to Dr. Norman—"Phone Dr. Norman" it says, isn't it? Dated November 16th, 1918, Dr. G. W. Meyer, physician, three quart bottles of brandy, \$10.50. Attached to this is a telegram dated November 6th, 1918: "Mr. Webster, Government Liquor Vendor. No liquor in Athabasca, going into country, please send me three quarts of Scotch Whiskey at once. Dr. G. W. Meyer." And at the bottom of it in lead pencil: "Called up Dr. Norman; he instructs me to send it to him, it is The Honourable MacKay's constituency." Whose lead pencil writing is that? A.—That is mine.

Q.—I see. On receipt of this telegram you called up Dr. Norman? A.—Yes.

Q.—What did you tell Dr. Norman? A.—I told him I had got a wire from Dr. G. W.

Meyer, of Athabasca, asking for this quantity of liquor to be sent to him and he told me to send it.

Q.—What did he say about this latter end of it? A.—Well, I cannot recall what he said about that. But I just mentioned that down there that it was The Honourable MacKay's constituency up there in Athabasca, as a memorandum.

Q.—Did Dr. Norman tell you that? A.—Well, I don't know. He may have said it and he may not, I don't know.

Q.—You do not recall it at all? A.—I cannot recall it, no. This is just a memorandum I made at the time so I would know it was sent.

MR. WEIR: Well, why make that memorandum? A.—Well, I don't know; I have made the same memorandum on others.

MR. EWING: It is only fair to the Minister, now he has come in, that I should read this memorandum. (Reading.)

MR. MACKAY: I want to put in a recommendation I made to the Government and I want to put in a copy of the Order-in-Council and I want to take the whole and undivided responsibility for what was adopted, just as soon as I can.

MR. EWING: The point I have been calling to his attention is this: there is in his own handwriting in lead pencil on the bottom of this telegram. The telegram reads, it is from Dr. Meyer: "No liquor in Athabasca, going into country, please send me three quarts of Scotch Whiskey at once."

MR. MACKAY: Well, unfortunately, there was too much of that in the country at the beginning of the Flu, and that is the reason I did that.

DR. STATE: I can verify that statement, too.

MR. EWING: (Reading): "I called up Dr. Norman, he instructs me to send it to him, it is the Honourable MacKay's Constituency." That is in lead pencil.

MR. MACKAY: A good constituency, too.

MR. EWING: When you endorsed anything that meant a list to be charged to the Government? A.—To the Government, yes.

Q.—And were you quite sure whether or not the Attorney General had given you any other instructions with regard to the shipment of liquor? A.—No, the Attorney General gave me no instructions that I can recall only that one I have mentioned. That is the only one that that I know of.

Q.—Here is one from Dr. Connolly for \$122.50. Dr. Connolly is a physician. Do you know where he practises? A.—Mundare.

Q.—Who gave you instructions to send that liquor? A.—That was given by Dr. Norman and I think that the honourable member over there called in and urged me to get it off at once and I could not get it off at once because the doctor was only allowed to get half a gallon and I had to have that message from Dr. Norman authorizing me to send that quantity. Half a gallon of whiskey in Mundare would not go very far, I don't suppose.

Q.—Of course, it is \$122.50 here, that ought to go some little distance? A.—It depends on the quantity of the liquor. They were very cautious, though, they took alcohol.

MR. MACKAY: Well, they had two or three hospitals there at that time.

A.—Alcohol for rubbing purposes and brandy for reducing temperature. Of course for you and me it would have a different effect.

Q.—Can you read that for me? A.—"Write him, this was no C.O.D. order, request put on." He wanted to have it sent C.O.D. We could not send it C.O.D. because the order had gone through that the express companies would not take liquor on a C.O.D. order after a certain date.

Q.—Do you know what that date was? A.—No.

Q.—Write who? A.—Dr. Connolly. You see it was a C.O.D. order and I could not send it C.O.D. and I had to write him.

Q.—What is that—that slip of Cote's? A.—Slip of Cote's. As I said a few minutes ago, Mr. Cote called in there and wrote on a little slip to try and get that off to that man at Mundare. I did not know the man at all.

Q.—Who is "C.D." whose initials are there, or is that C.D.? A.—Well, it might be Mr. Park and it might be Mr. Clarke. I did not bring up that cash book because I was not requested.

Q.—Your cash book will show who C.D. is? A.—Certainly it will, and it will show when the money was paid.

Q.—Here is one, 9th November, 1918, J. Cote, M.P.P., \$20 worth of liquor. What is this? A.—Send to 1141 7th Street.

Q.—"The said liquor is to be used by The Honourable Mr. Cote." A.—Well, that is only a memorandum. You know better than that.

Q.—"Honourable Cote would pay." That was another one that was being charged to Mr. Cote? A.—Dr. Norman said that he might pay for it. I do not know whether he did or not.

Q.—It says it was on Dr. Norman's order? A.—Yes.

MR. COTE: I think I can give an explanation of that. I received telegrams that there were a great many sick in the north and I intended to send a nurse. The train was going that night and the only way—if you will go into the other accounts you will see that there is drugs that were sent to my house and the same order going north that same night and I saw Mrs. Jackson and I engaged her and sent her and gave her these goods. It was on a Saturday night, if you will recall, and it was to go on the freight next morning, and there was no other place

where these goods could be gathered together. I made three parcels, I believe, of the whole thing.

MR. EWING: You say, "Filled, but not paid for"? A.—Yes.

Q.—That meant it was charged to Dr. Norman? A.—Dr. Norman said when he 'phoned over to me. I remember the occurrence; he said, "Perhaps Mr. Cote will pay for this."

MR. COTE: I do not think I paid for it? A.—No, you did not. It was charged to Dr. Norman, filled and not paid for and that was sent during the night. The train, if I remember right, was going out early in the morning.

MR. COTE: That was early on Sunday morning. A.—It went at seven o'clock on Sunday morning and I brought it down to the station myself at twelve o'clock at night.

MR. EWING: Who is "C.B."? A.—I do not know. That is Cash Book, Page 180. That would be what it means.

Q.—And you could turn that up at once? A.—I could turn that up—yes.

Q.—Now, take a case of that kind—delivered to Archibald's to Miss Mathers on December 2nd, 1918, two quart bottles of 20-year-old Scotch, \$3.50? A.—Miss Mathers was a nurse out at some of these hospitals out west, and among the orders that she wanted from Archibald for medicine that she wanted out she wanted this and Dr. Norman told me to send over a bottle of this kind of liquor to Archibald, which I did.

Q.—You have a memo? A.—It ought to be on there, yes.

Q.—Who is W. C. Curry, Provincial Board of Health Inspector, Vegreville? A.—I don't know.

Q.—What? A.—I don't know.

Q.—There is an account of \$50.50, liquor. Who ordered that? Do you know? A.—I do not know, I could not tell you. I had to return the fifty cents.

Q.—Did he order this liquor? A.—No, Dr. Norman ordered it.

Q.—There was nothing on there to indicate? A.—There may not be; it may be on something else. They have got a number of slips here—no, I could not see it there.

Q.—You do not know who ordered that? A.—I don't know who ordered it because it is not entered down. There may be another slip attached to it somewhere.

Q.—You cannot place—there is \$50.50 worth of liquor, returned fifty cents, on December 2nd, 1918? There was apparently not an affidavit for that? A.—There could not be an affidavit for that.

Q.—There could not be? A.—No.

Q.—You mean it was sent to U. C. Curry? A.—On the instructions of Dr. Norman, sent to the Board of Health Inspector at Vegreville. I do not know who Curry is.

Q.—You do not know who Curry is? A.—No, I do not.

Q.—But in all cases you get the instructions? A.—In all cases I got the authority from Dr. Norman or from some officers, as I told you before, that had authority as I believed to request me to do so. And I returned that man fifty cents.

Q.—And here is one to L. Gireaux, three gallons brandy, \$45, C.O.D. A.—It was sent C.O.D. order.

Q.—How do you come to have signed the jurat in that application when the applicant has not signed it? A.—I could not tell you that. It did not say sworn at Edmonton, technically speaking. It does not say sworn at any place and I may have put my name down here in place of putting it crossways or something of that kind, so I could remember the occurrence. I did not swear anybody there because he did not sign, but that is my writing.

Q.—I am pointing out you signed the jurat. A.—Yes.

MR. EBBETT: Are the dates filled in?

MR. EWING: Yes, the 8th November, but it is not signed by the applicant. That was apparently in reply to a telegram addressed to the Honourable J. L. Cote, "Supply received and exhausted, not enough to go round, if possible express tomorrow three gallons each rum and Scotch and cough medicine ordered by Dr. Gauthier. Have ordered Dr. Gauthier to be here tomorrow morning. Bad cases. L. Gireaux." Did you fill that order? A.—We had no rum at that time and I took the liberty to send him three gallons of Scotch whiskey. Knowing something about the disease, I thought that perhaps it would be better to send Scotch whiskey than to keep him waiting for brandy, because we would not have any brandy in for three or four days and I sent the Scotch in place of the brandy.

Q.—"November 19, 1918, J. Polson, druggist." A.—He is at Bawlf.

Q.—There is endorsed on it: "Shipped by order of Mr. Douglas, given him by Mr. Browning, no money, sent him a bill requesting payment, duplicate sent to complete, did not enter this." A.—Yes.

Q.—That is a case in which you sent a duplicate after you sent the liquor? A.—After we sent the liquor.

Q.—On the instructions of Mr. Douglas from Mr. Browning? A.—Yes.

Q.—Did you get back the duplicate? A.—Yes, on the—

Q.—Where is it? A.—I will have it, that is if the liquor was shipped to him; I will have the duplicate and I should have the money.

Q.—You are quite positive that you have an application in this particular case duly signed and sworn, are you? A.—Well, without looking the papers up, I do not wish to make a statement of that kind, but what I do say is that if it was shipped to him and he paid for it, I have it.

Q.—You have what? A.—I have the money.

Q.—Yes, I do not doubt that. But I am asking if you have the affidavits in that case?

A.—I cannot answer you without looking up the files. If I had an affidavit I would not have made any of those statements here at all.

Q.—Quite so. A.—But if my recollection is right, Mr. Douglas informed me that he had been instructed by Mr. Browning to have this sent to him. Now there was no money came to me at that time. But money may have come there after and my custom sometimes was to send this form to the man and ask him to have it filled up and sworn before a commissioner or other person who was authorized to take an affidavit, and send back the money.

Q.—And then when you got back the form of application, the correct form of application—
A.—We entered it up in this book.

Q.—You would file the application? A.—File the application.

Q.—And you would keep the other one, too? A.—I do not know. I just took those as I got them there. I did not pick out anything.

Q.—Were there many cases in which you sent out liquor followed by a blank application to be signed by the druggist and returned to you along with the money? A.—No, no, very, very few, if any.

Q.—This is one? A.—Yes, this is one.

Q.—Can you recall any others? A.—I cannot. I did not know that was there at all.

Q.—Is that your writing? A.—Yes.

Q.—You had forgotten about it? A.—Yes.

Q.—What record will you have in your books to show that is paid for? A.—It should be entered in the cash book.

Q.—Have you the cash book here? A.—No. I was not requested to bring that.

Q.—Well, just take a look for that, will you? A.—Well, make a note of it and I will look it up. Give me the proper authority and I will get it. And it says there "Duplicate sent to complete."

Q.—I will read it again. A.—The reason I am speaking that way is this, when the other that I sent is here you might say I sent it twice.

Q.—No, if you have a duplicate here. A.—Well, I had better be careful about it.

Q.—Take one like that. There is one dated November 30, 1918, Dr. Norman's 'phone to Mr. Archibald's drug store for Bruderheim. A.—Yes.

Q.—That is shipped without an affidavit? A.—Yes.

Q.—\$21? A.—A blank—

Q.—The addition is not quite correct, is it? A.—Perhaps it is as correct as your thirty-one gallons of liquor was.

Q.—Well, let us see if it is. Now you question it, we will examine it. A.—All right.

Q.—Is that a duplication? A.—Yes, one gallon brandy \$15.00; one gallon ordinary rye, \$6.00; \$21, those are the additions.

Q.—That is the column carried out? A.—The column carried out. And that was carried out by—I don't know whose writing it is; but whoever wrote that added it up right and extended it right.

Q.—Is not that your writing? A.—No, it is not.

Q.—Who wrote it? A.—I don't know.

Q.—Do you remember that order? A.—I think the writing is Mr. Clarke's.

Q.—That is the man you spoke of a little while ago as being in your place about a week?
A.—Yes. The additions are right.

Q.—You knew about this? A.—Yes, I remember the occasion.

Q.—Did you send this to Mr. Archibald's drug store? A.—It was sent to Mr. Archibald's drug store, I think.

Q.—And this would be charged to Dr. Norman, was it? A.—Yes, and it must have been paid for afterwards.

Q.—I am not speaking about the payment. A.—It was charged to Dr. Norman.

Q.—And who paid for it, do you know? A.—I could not tell without looking up the cash book.

Q.—Will your cash book show what accounts that were charged to Dr. Norman were paid for by somebody else? A.—It might not mention who paid for it but it would show the amounts.

Q.—But because accounts were charged to Dr. Norman in your book it does not follow that they were paid for by Dr. Norman? A.—No, it does not.

Q.—That is, they might be paid for by somebody else? A.—By somebody else.

Q.—In fact in some cases they were? A.—Yes, that is evident, someone else paid for it.

Q.—There is no indication here who paid for it? A.—No. It was filled on November 30th. M. J. filled it.

Q.—Who is M. J.? It looks like W. J. A.—It might be M. J. But that writing there looks to me to be M. J. Munroe.

Q.—Probably it is. And you do not know who paid for it? A.—I do not know.

Q.—But it has been paid for? A.—It has been paid; it is entered here, cash book 180.

Q.—And wherever that memorandum is it means it has been paid for by somebody because it is entered in the cash book? A.—Yes.

Q.—There is a telegram to Mr. Boyle from Vegreville from Dr. J. C. Hardy. You would

get that, of course, from Mr. Boyle? A telegram from Dr. Hardy to Mr. Boyle—Mr. Boyle, I suppose, would send that on to you, would he? A.—Pardon me—sent to Champlain Hospital, 'phone, and that seems to have been paid for.

Q.—Who paid for that? A.—I could not tell you.

Q.—But do you remember that particular case? A.—Oh, I don't know if I can remember offhand.

Q.—Who did you get that telegram from? A.—Well, I am trying to think whether it was Mr. Douglas brought that up to me or someone else. I can't tell you. My opinion would be it was Mr. Douglas brought it up.

Q.—Here is one apparently from Mr. Owens. Now, who would that be charged to? There is an account November 20th, \$27. There is a memorandum endorsed on it: "As we had no old rye in stock today, I asked Mr. Archibald to fill the rye and we will return it tomorrow, delivered the brandy to Mr. Archibald." You sent the brandy in that case to Mr. Archibald, did you? A.—It was sent over to Mr. Archibald's store.

Q.—And you asked Mr. Archibald to fill the rye order? A.—Yes; we were out of rye and he had bought some the previous day and there was none put up and I asked Mr. Archibald to fill it and we gave him the balance of the rye in the morning.

Q.—Then there is written on here: "Charge to Dr. Norman"? A.—Yes.

Q.—"By 'phone of Mr. Owen." That was an order of Mr. Owen's? A.—Yes, from Mr. Owen's office or rather Dr. Norman's office.

Q.—It came from Dr. Norman? A.—Yes.

Q.—Here is one from Mike Fztyk, November 28th, 1918. Just look at that for a minute. Just look at that. That is for "Three quart bottles of Mitchell's Scotch whiskey, A. G. Browning's 'phone message, says to deliver and he will send letter to cover." How did you get this certificate signed by the applicant? A.—The man when he came for it signed it there, but I did not see him sign it and I could not swear him.

Q.—That is, he did not swear it at all? A.—He did not swear it at all.

Q.—And you delivered the liquor too? A.—The liquor was delivered.

Q.—Where? A.—Well, from the appearance it looks as if it was delivered in the store. "Phone from A. G. Browning to deliver, letter following," and I have written on there "Delivered."

Q.—I see the address is given here 11429 University Avenue? A.—Yes.

Q.—It would not be delivered there? A.—Oh, no.

Q.—You delivered it personally? A.—Yes.

Q.—Did the applicant come to your store to get it? A.—I don't know. It looks to me as if he did. My instructions were that when a man came for anything of that kind to get him to sign his name.

Q.—Why wouldn't you take his affidavit? A.—Because I did not see him sign it.

Q.—Were you there when he got the liquor? A.—No.

Q.—These men came in sometimes when you were not there? A.—Yes.

Q.—And signed the affidavit and did not swear it because there was nobody to swear it before? A.—No.

Q.—And he took the liquor and went away? A.—Yes; I acted on the instructions as written there.

Q.—Did they give you instructions to do that? A.—Who do you mean by "they"?

Q.—Did Mr. Browning give you instructions to deliver this liquor without the affidavit? A.—Yes, he gave me instructions to deliver this liquor to this man.

Q.—This man lived in the city, didn't he? A.—I don't know.

Q.—His address is given 11429 University Avenue? A.—Yes; that would be on the south side—it may be, I don't know.

Q.—And the man, according to your knowledge of the affair, the man himself came over to the vendor's office? A.—Yes.

Q.—Got the liquor? A.—Yes.

Q.—Did not swear the affidavit? A.—Did not swear because I was not there.

Q.—Because you were not there? A.—Yes.

MR. MACKAY: If the chairman chooses I would like to make a statement and put in a recommendation and order-in-council that deals with this whole matter.

THE CHAIRMAN: I think that will be in order.

MR. MACKAY: I may say that when this 'flu fight came up the complaint came in from all over the country, from the doctors and others, that if we followed the strict letter of the Act—the Act of course provides that the doctor may prescribe liquor, but it must be filled at the drug store—the difficulty that the doctors and the people raised was this, that that would be placing one class of people outside the doctor's prescription entirely, in practice; that if a prescription were given at a point forty or fifty miles from a drug store—I am only giving this as an illustration—that it could not in practice be filled and that the spirit of the Act would be defeated. Therefore, about the first of November, I should say, the Government decided to place under Dr. Norman, the Chief Medical Health Officer for the Province, the control of sending liquor, if it need be sent, to certain points, not to druggists, but to certain points where there were no drug stores or to give it to parties going there so that prescriptions could be filled when they were made up. Now, the gist of all this is in the document that was afterwards put through

and I had perhaps better read it. Then on the 13th of November, a little later, on my recommendation, an Order-in-Council was passed. I will read the recommendation. (Read as follows):

"Edmonton, November 13th, 1918.

"To His Honour

"The Lieutenant-Governor-in-Council,

"WHEREAS, by Section 7 of The Liquor Act (being Chapter 4 of the Statutes of Alberta, 1916) it is provided that the Lieutenant-Governor-in-Council shall from time to time not inconsistent with such Act prescribe the manner in which vendors may sell liquor under the Act and make such other regulations as may be deemed necessary and requisite for the proper administration and carrying out of such Act; and,

"WHEREAS, in such Act provision is made as therein appears for the sale of liquor by vendors to physicians, druggists, dentists and certain other persons in order to meet public requirements for medicinal and other purposes;

"AND WHEREAS in dealing with the present severe and unprecedented epidemic of Spanish Influenza, it is found that owing to the fact that in many outlying portions of the province, there is no Drug Store, and therefore the machinery provided in the Act is not sufficiently wide to allow of the carrying out of the true intent and meaning of the Act, and therefore to the end that all people in this Province may be placed upon the same plane and may receive, so far as possible, due medical attention, and may have whatever benefit may be derived from the prescriptions of duly qualified medical practitioners;

"The undersigned has therefore the honour to recommend that from and after the first day of November instant, the Vendors appointed under the Liquor Act may sell and deliver liquor of such nature or kind, and in such quantity to any person or persons at such place or places as may be directed by the Provincial Medical Officer of Health, or by some person specially designated by him, for such purposes, it being understood that any such liquor so sold and delivered shall be used for medicinal purposes only, in accordance with the prescription of a regularly qualified medical practitioner, for the benefit of persons suffering from influenza, pneumonia, or other disease of like nature, or resulting therefrom; that the Vendors be required either to forward the liquor by the safest and most direct means to the person or persons to whom the same is sold, or to deliver such liquor to such person or persons and in such latter occasion the person or persons receiving the liquor shall carry such liquor or cause the same to be carried to the locality in which it is to be used; and further, that the person or persons to whom such liquor is so sold and delivered shall control the same, and shall be responsible that it shall only be used for the purposes aforesaid under the restrictions hereinbefore mentioned, but in no case shall any profit be made by any such person or persons in the disposal of such liquor. This order shall have force and effect only during the present month of November.

"Respectfully submitted,

"(Sgd.)

A. G. MACKAY,
"Minister of Municipal Affairs."

I may say the Order went through accordingly and it was subsequently extended and, I fancy, is in force yet. I remember we extended it a week. That ran to the end of the month of November. I think I have the Order here. And I remember it was extended then for a week and I do not know what further extension it was. We were trying to close it off with the 'flu, but the 'flu did not close off. I do not know whether it is closed off yet. It is in effect yet, I suppose, de facto.

MR. DAVIS: The Order was published?

MR. MACKAY: There was no secret about it. The order was made quite plain in the newspapers and it was made quite plain what the interpretation was. It was just the point if the letter of the law was followed literally the prescription of a doctor would have to be brought in to wherever there was a drug store and that would mean in effect that three-quarters of the people of this province would be treated differently from the others. And, rightly or wrongly, I am mainly responsible and, with the Government behind me, followed this method. Here is what would happen; a doctor, for instance, is going up from Lamont to Vegreville—there was a village there I could not get a doctor in for three or four days; it would be ludicrous for a man to find, as a man did in one instance, 170 cases a day it would be useless to issue a prescription up there. And what I understood was that a doctor would take a gallon or whatever liquor he would need and make the prescription and fill it. But I have no personal knowledge of it, I never saw Dr. Norman about the matter. Dr. Norman is under the Attorney General's Department, and nobody but Dr. Norman, the Chief Officer of Health, was given authority under the Order-in-Council, as I understand.

MRS. MCKINNEY: The Order-in-Council seemed to be safeguarded?

MR. MACKAY: As well as I could draw it. I will read the Order-in-Council. (Read as follows):

"Wednesday, November 13th, 1918.

"The Executive Council has had under consideration the report of the Honourable the Minister of Municipal Affairs, dated November 13th, 1918, stating that:

"WHEREAS by Section 7 of The Liquor Act, being Chapter 4 of the Statutes of Alberta,

"1916, it is provided that the Lieutenant-Governor-in-Council shall from time to time not inconsistent with such Act prescribe the manner in which vendors may sell liquor under the Act, and make such other regulations as may be deemed necessary and requisite for the proper administration and carrying out of such Act, and,

"WHEREAS in such Act provision is made as therein appears for the sale of liquor by Vendors to physicians, druggists, dentists and certain other persons in order to meet public requirements for medicinal and other purposes, and

"WHEREAS in dealing with the present severe and unprecedented epidemic of Spanish Influenza it is found that owing to the fact that in many outlying portions of the Province of Alberta there is no drug store, and therefore the machinery provided in the Act is not sufficiently wide to allow of the carrying out of the true intent and meaning of the Act, and therefore to the end that all people in this Province may be placed upon the same plane and may receive so far as possible due medical attention, and may have whatever benefit may be derived from the prescriptions of duly qualified medical practitioners;

"THEREFORE, upon the recommendation of the Honourable the Minister of Municipal Affairs, the Executive Council advises that from and after the first day of November instant, the vendors appointed under The Liquor Act may sell and deliver Liquor of such nature or kind and in such quantity to any person or persons at such place or places as may be directed by the Provincial Medical Officer of Health, or by some person specially designated by him for such purpose, it being understood that any such liquor so sold and delivered shall be used for medicinal purposes only in accordance with the prescription of a regularly qualified medical practitioner for the benefit of persons suffering from Influenza, Pneumonia, or other diseases of like nature or resulting therefrom, that the vendors be required either to forward the Liquor by the safest and most direct means to the person or persons to whom the same is sold, or to deliver such liquor to such person or persons, and in such latter occasion the person or persons receiving the liquor shall carry such liquor or cause the same to be carried to the locality in which it is to be used, and further, that the person or persons to whom such liquor is sold and delivered shall control the same and shall be responsible that it shall only be used for the purposes aforesaid under the restrictions hereinbefore mentioned, but in no case shall any profit be made by any such person or persons in the disposal of such liquor, this order shall have force and effect only during the present month of November."

We extended that, I think, for a week, and I think it will be found we extended it afterwards indefinitely, by Order-in-Council. While the Government accepts the responsibility, I say then, I am the man in charge of that Department and am mainly responsible for the documents I have put in and I do not think I would have been doing my duty if I had not done what I did.

MR. EWING: The correspondence to and from him——

MR. MACKAY: The question was raised, and very properly, whether that was published, and I am told the whole substance of it was published at the time and I would naturally do it with my different talks and Mr. Davidson tells me he published it.

MR. EWING: Have you no correspondence in connection with alleged violations of the Liquor Act?

MR. WEBSTER: From who?

Q.—From anybody? A.—I did. I have a letter from Mr. Forster regarding that.

Q.—That is what I want. I want you to bring any letters that you have from any source with respect to violations or alleged violations of the Liquor Act. A.—I can bring them, certainly.

Q.—Will you do that? A.—Yes, I can. Put a note down there so I will understand it, because I did not understand that other letter (referring to letter from Deputy Attorney General).

Q.—What about the deposit slips? Did you bring them—from October 24th to November 7th? A.—I can bring them.

Committee adjourns till 10 a.m., Tuesday, March 25th, 1919.

TUESDAY, MARCH 25th, 1919—PUBLIC ACCOUNTS COMMITTEE RESUMES AT 10 a.m.

Transcript of shorthand notes of evidence taken on reference by the Legislature to this Committee concerning the truth or falsity of certain statements made by Mr. F. G. Forster in a letter dated November 25th, 1918, addressed to The Honourable the Attorney General concerning Mr. Lucien Boudreau, the Member for St. Albert.

M. M. DOWNEY, called and sworn, testified as follows:

MR. EWING: You are in the employ of the Provincial Government? A.—I am.

Q.—In what capacity? A.—Provincial Pool Room Inspector.

Q.—How long have you been Provincial Pool Room Inspector? A.—I believe I was appointed in 1914.

Q.—And you have acted in that capacity ever since? A.—I have.

Q.—You were up in Edmonton in November of last year, were you not? A.—Yes.

Q.—In connection with the Liquor Vendor's store? A.—Yes.

Q.—How did you come to be there? A.—I was sent for by a telegram by—I believe, it was Mr. Browning.

Q.—Mr. Browning? A.—I think it was Mr. Browning. It was either Mr. Browning or the Attorney General himself; I think it was Mr. Browning.

Q.—You came to Edmonton for what purpose? A.—To assist in any way that I could, I presume, in connection with the vendor's stores, particularly in the Edmonton end of it.

Q.—You came up here in response to that telegram, did you? A.—Yes.

Q.—Can you fix about the time that you came? A.—Well, I believe it was, I was here, I think, the 6th, 7th, 8th and 9th November.

Q.—Do you mean to say that was all the time you were employed in the vendor's stores here? A.—That is all the time I was in Edmonton at that time—yes.

Q.—You got instructions when you came here, did you? You got further instructions when you came here? A.—Well, no, I was assisting Mr. Douglas.

Q.—When you came up to Edmonton, whom did you see? A.—I saw Mr. Browning and Mr. Douglas.

Q.—That is what I want to get. You saw Mr. Browning and Mr. Douglas, and I suppose they gave you instructions as to the work you were to do, did they? A.—No. It was more particularly in any details that I might know in connection with the stores, that I would give that information and help Mr. Douglas in any way that I could see fit. I took it that I was just simply to fit in and help out the situation as then existing. The 'flu epidemic was on at that time.

Q.—And there was a heavy demand on all connected with it? A.—Yes.

MR. WEIR: Had you had any other experience? A.—I ran the other store between Mr. McDougall's illness and Mr. Bain's appointment.

MR. EWING: You acted as Vendor in Calgary? A.—Yes, as Liquor Vendor.

Q.—How long did you act in that capacity, about? A.—Oh, I suppose it would be seven or eight months. I would not be sure.

Q.—What work did you actually start in to do when you started the work? A.—Well, I started out more just with Mr. Douglas and his company, not doing any particular work, where it fit in, when I went down to the store, I believe in the afternoon; I took off my coat and went behind the counter.

Q.—Was that your first day? A.—No, I could not say that, Mr. Ewing. In regard to the dates, I would be at sea because I haven't any record of anything.

Q.—You went to the vendor's store, did you? A.—I did.

Q.—And during the four days you were here your time was largely in the vendor's stores? A.—Yes.

Q.—Wholly so? A.—No; part of the time I was down in the building here where Mr. Forster and Mr. Douglas had their offices and part of the time here in the buildings. And while I was here I went into other details in regard to the pool room business, which I wanted to go over with Mr. Browning, about Southern Alberta.

Q.—And the majority of the time you were in the vendor's stores? A.—Yes, my main visit here was for that purpose.

Q.—And you were assisting Mr. Webster, were you? A.—Yes.

Q.—And assisting Mr. Douglas, I suppose, if he wanted any assistance in his portion of the business? A.—Yes.

Q.—Did you see Mr. Boudreau around there? A.—Yes.

Q.—More than once? A.—Twice.

Q.—Twice during the time that you were there. On the first occasion when you saw him what happened? A.—Well, I just saw him in the back of the store.

Q.—The back of the store—what part is that? A.—Well, back where the liquors were kept.

Q.—What took place? A.—Nothing took place.

Q.—Did you know him? A.—No, I did not know him. I asked who that fellow was in there and they said that was Mr. Boudreau.

Q.—You had no conversation with him? A.—No.

Q.—You did not hear any conversation he was having with anyone else particularly? A.—No.

Q.—Do you know what he was in there for? A.—I do not.

Q.—And when did you see him again in the store? A.—Well, I saw him in of an evening, or afternoon rather, I guess it would be, on one of the days I was there.

Q.—Which would it be—the afternoon or evening? A.—It would be in the afternoon. It would be before closing hour, towards evening.

Q.—And what happened there? A.—Well, he just simply came to the counter and I went over to serve him, that is all.

Q.—What did you serve him with? A.—Well, I gave him the blue application form for him to write out his order on.

Q.—Did he write out his order? A.—Yes, he wrote out the order.

Q.—In your presence? A.—Yes.

Q.—And then what happened? A.—Well, I asked him to sign it and I would take the affidavit.

Q.—And did he do that? A.—He said he could not do that as that had to be done up in the store and he would take the affidavit. His druggist would do it, he said.

Q.—Mr. Boudreau wrote out in the order the goods that he wanted to buy, did he? A.—Yes. Well, either he did or I did it for him.

Q.—At his dictation? A.—Yes, of course. I think he wrote it out. I would not be certain about that.

Q.—It is immaterial. And what happened? A.—Well, I asked for the money for the order.

Q.—That is when you make up—when you write out the blue form, the price is written in the order, is it? A.—Yes.

Q.—It is really an invoice? A.—Yes, it is really an invoice. You simply extend them just like an ordinary invoice.

Q.—And total it up? A.—Yes, and total it up.

Q.—And you asked him for the price, and what did Mr. Boudreau say? A.—He said he would send down a cheque with the affidavit the next day.

Q.—The next day? A.—Yes.

Q.—And when were the goods to be delivered? A.—They were to be delivered then.

Q.—At the time? A.—Yes.

Q.—Did you make them up and deliver them at that time? A.—No, not at that time.

Q.—Did Mr. Boudreau want them delivered at that time? Did he say that he did? A.—I don't think there was anything said particularly about when they would be delivered or anything. Why, I suppose I took that much for granted, that that is what he meant, to be delivered at that time.

Q.—And what caused you to take that for granted? A.—Well, if anybody else came in for liquor I would figure they came down to get it.

Q.—Had Mr. Boudreau any means of taking it away? Was there any conveyance there at the time? A.—Not at that time, I believe.

Q.—Well, what did you say when he said he would send a cheque next day? A.—Well, I said I could not give it to him.

Q.—And what did Mr. Boudreau say? A.—Well, he said Mr. Webster did that for him.

Q.—And what did you say? A.—Well, I said: "Mr. Webster may, but I can't."

Q.—And what did Mr. Boudreau say in reply to that? A.—Well, I don't know that he said anything. I got out of the job. I referred it to Mr. Webster.

Q.—And you went and referred the matter to Mr. Webster, did you? A.—Yes.

Q.—And tell us what happened with Mr. Webster. A.—Well, I don't know particularly what happened after that.

Q.—Well, you went to Mr. Webster? A.—Oh, yes.

Q.—And what did you say to Mr. Webster? A.—Well, I said: "You had better look after Mr. Boudreau."

Q.—And what did Mr. Webster say? A.—Well, I think I explained maybe the circumstances

Q.—You explained the whole thing to him, did you? A.—Yes.

Q.—And what did Mr. Webster say to you? A.—Well, I do not remember the exact words, but the impression I got was it was a simple transaction and on account of the rush we were in and everything—the affidavit would come down tomorrow. The circumstances down in the vendor's store were a little bit peculiar. They were working at a high pressure, you know.

Q.—I just want to get the facts. I understand the situation. You were telling us what impression you got. What was the effect of what Mr. Webster told you? A.—Well, the effect was that the stuff was taken away.

Q.—I am coming to that. I am getting now to what Mr. Webster told you at the time? A.—Well, I don't know; I could only give you the——

Q.—I mean the substance. I know you can't recall the exact words. A.—Just simply that we did not take it to be very serious at all.

Q.—And it would be all right to do that? A.—Yes; that was the impression.

Q.—That is, to give Mr. Boudreau the liquor and let the cheque come down the following day?

MR. MACKAY: Can't he tell what was said? Let us get the substance of it.

MR. EWING: The witness said he could not remember the words.

A.—I can't remember. I never thought about it. The thing was forgotten to my mind till I saw Mr. Forster's telegram, and never expected to be here for one minute.

Q.—You are quite correct in saying that Mr. Webster did not refuse to let the liquor go out? A.—Oh, well, anything might have happened, Mr. Ewing, unbeknown to me.

Q.—But I am speaking of what he said to you. A.—Well, that is the impression I got. I could not say what he said—no.

MR. WEIR: Did the liquor go out? A.—It did.

MR. EWING: What time did the liquor go out? What time in the day? A.—Oh, in a few minutes.

Q.—A few minutes. Who took it? A.—Well, there was a man assisting there to take it because I helped to pile it out.

Q.—You helped to take it out? A.—Not out of the building, but from the back part into the store.

Q.—You do not remember the name of the man who helped to take it, do you? A.—No.

Q.—Who helped to take it out? A.—I helped to take it to the counter. And it was locked

from the inside and I passed the cases through that door and piled them in the corridor—you would call it—to be taken out by whoever would own it. We figured when it was out there we had delivered it.

Q.—Was it taken out of there that same evening? A.—Oh, yes.

Q.—Almost immediately after you had piled it out there? A.—Oh, a few minutes. It might have been ten, fifteen or twenty minutes.

Q.—Well, was Mr. Boudreau there while it was being taken out? A.—Yes; some of it I piled right alongside him.

Q.—Did you have any conversation with him about it; I mean after you had spoken to Mr. Webster? A.—Not that I remember of.

Q.—Boudreau did not say anything that you remember of? A.—Not that I remember of. I treated the transaction as in the mere course of business. I realized the situation, yet I did not take it very seriously, Mr. Ewing.

Q.—I know. Did anybody telephone? Do you know anything about anybody telephoning? A.—No.

Q.—About that time? A.—I believe there was somebody telephoned for a rig to come and get the liquor.

Q.—Who telephoned, do you know? A.—I do not know.

Q.—Were you there the next day after that? A.—I was bound to be in the store—yes, I was there the next day after that.

Q.—Do you know whether or not the cheque came in the following day? A.—I do not know.

Q.—You did not speak to Mr. Webster about it? A.—No.

Q.—You do not know when the cheque came in? A.—I do not.

Q.—Do you remember the amount of that particular purchase? A.—Well, my recollection of it is it was \$400 and some odd dollars. But then, I may not be correct.

Q.—You are speaking only from recollection? A.—Yes.

MR. WEIR: Did you report that transaction to anyone? A.—I reported it to Mr. Forster, the Chief Inspector.

Q.—That day? A.—Yes, almost at once. He was in the building, and when I was through with the transaction I reported it to him as I felt I should.

MR. EWING: Who was in the building at the time this took place? A.—Well, there were a number of men I can't recall by name. I believe Mr. Forster was there and I believe Mr. Webster was there.

Q.—Who else? A.—It strikes me Mr. Douglas was there.

Q.—Anyone else? A.—Yes, there would be three or four others, but I do not know their names.

Q.—Do you know Mr. Munroe? A.—There was a Mr. Munroe there at the time, but I would not know Mr. Munroe if he was in this room.

Q.—He was there at that time? A.—I believe there was Mr. Munroe working there at the time—yes.

Q.—Who was present when the conversation took place between yourself and Mr. Webster? A.—Oh, nobody. I just walked over to Mr. Webster's desk.

Q.—That was not in the hearing of anybody? A.—Oh, no.

Q.—Nor was the conversation between yourself and Mr. Boudreau within the hearing of anybody? A.—No.

Q.—I see. Then, as soon as you had Mr. Webster's authority to let the liquor go out you spoke to Mr. Forster, did you? A.—Yes, I might have. It might have been after the liquor went out, or before. We were all working on the transaction, you see.

Q.—Was Mr. Forster doing anything on this transaction? A.—Oh, no, but I mean he was there. And maybe if Mr. Munroe was there, maybe he helped to pile—anybody might have—I don't know who.

Q.—Well, then, you reported the matter to Mr. Forster very shortly after it happened? A.—Yes.

Q.—What did Mr. Forster say? A.—He just took it as so much, I suppose, departmental business, and I did not feel that any answer was required. I don't know if he gave me any.

Q.—You do not recall whether he gave you any or not? A.—No, I do not.

Q.—And, of course, you did not report it to anybody else? A.—No, I felt that was sufficient.

Q.—Can you place the date of this occurrence? A.—I cannot.

Q.—Was it the following day that you left the Vendor's store? A.—I left there on the Saturday night for home.

Q.—How long was that after this occurrence? Can you place it? A.—I cannot place it.

Q.—Were you present when Mr. Forster turned over the business to Mr. Douglas? A.—Well, of course I was part of the time—yes.

Q.—Were you there when that was completed—I mean when he turned over everything and completed that transaction? A.—No.

Q.—You cannot fix the date with reference to that, then? A.—No, I can't.

MR. WEIR: That was really going on while this happened—on the day this happened? A.—Yes.

MR. EWING: Was Mr. Forster in the Vendor's store every day that you were in the

Vendor's store? A.—Not when I was there, no. I don't know. No, there are some days he might not have been there.

Q.—He came and went, did he? A.—Yes, the same as Mr. Douglas did.

MR. WEIR: Did you notice whether any entry was made in the books of this matter? A.—No, only that form.

Q.—The order would be the form? A.—Yes.

Q.—And no money having been paid there would not be any entry made in any cash book or anything, while you were there? A.—No, and I did not—

Q.—You did not bother about the books at all? A.—No. I was more working to get the liquor out to the people in the province that were demanding it.

Q.—And had you in your experience as Vendor in Calgary covering a period of seven months between the time the late Mr. McDougall was sick and Mr. Bain came on there, when you had charge of that—would you have considered that this would have been a rather irregular proceeding? A.—Well, it was. I only knew of another similar to it, that is where I gave a bottle of champagne myself on a Sunday to go to the Holy Cross Hospital to a woman that was dying.

Q.—But a matter of \$400 worth of liquor going out would be rather an irregular proceeding under the Act? A.—I felt it was—yes.

Q.—That is why you hesitated to permit it to go out? A.—Yes.

Q.—Did you have much talk with any persons about this matter? A.—No, I don't think so.

Q.—Since the telegram came through there—since this investigation was in the air here? A.—I discussed it with my solicitor in Calgary.

Q.—Yes. Did you meet Mr. Webster in Calgary since this happened? A.—I never spoke to him. I believe he was in town.

Q.—You do not know what day? A.—No, I don't know that I do. I heard of him being in town.

Q.—Did you have any conversation with him at all? A.—No.

Q.—Did you discuss this with any of your superiors? A.—I discussed it with Mr. Browning.

Q.—When? A.—Well, I discussed it with Mr. Browning right along.

Q.—Since you came to town now? A.—Yes, I chatted with Mr. Browning, perhaps, on the subject this morning.

Q.—And yesterday? A.—Yes.

Q.—Did you have any discussion with the Attorney General at all in connection with it? A.—I do not think so except he might have been present some of the times that Mr. Browning was there, you see. Mr. Browning was the main man I discussed it with.

Q.—Were you discussing this with Mr. Browning in a casual way, or just as a superior officer to a subordinate officer who was going to give evidence? A.—Well, both. I looked upon Mr. Browning as a superior officer and naturally anything I would know that would interest the Attorney General's Department in any manner, shape or form I would always report these things to him.

Q.—And if Mr. Browning wanted to discuss this thing with you, you were perfectly within your rights as a subordinate to do so? A.—Yes.

Q.—Did you go into the evidence you would likely give here this morning—your knowledge of this case? A.—Yes; I told him what I knew.

Q.—Did he inspire these questions or was he questioning you? A.—I do not think he asked any questions.

Q.—Did he send for you or did you go in there? A.—Well, he sent for me to come to Edmonton. I never got a summons, by the way, to appear before this Committee. I have not got it yet.

Q.—I am not trying to heckle you in any way, but you went into Mr. Browning's office yesterday? A.—Yes.

Q.—And you went over in a casual or general way the knowledge you had of this case? A.—Yes.

Q.—And the evidence you were likely to give in it? A.—Yes.

MR. MACKAY: Up to what date did you say you were up here in the store? A.—I believe it was the 6th, 7th, 8th and 9th.

Q.—Have you no way of fixing that? A.—The only way I have is by my record of my expenses.

Q.—There is no doubt, then, those are the four days? A.—That is the four days—the time.

Q.—Was there any other transaction with Mr. Boudreau of over \$400 during the days you were there? A.—I do not know of any.

Q.—They tell me there is not. There does not appear to be any. Just in view of the questions that Mr. Weir asked you. At any time in any place and in any way during your employment in connection with this or any other liquor store was anything ever suggested to you by the Attorney General or the Deputy Attorney General in any way that you should show favouritism or make a statement that was not true? A.—No. In fact—

Q.—Just answer my questions. I am covering it broadly, in view of the last few questions; I am covering your whole service—in any way, at any time, in any manner in connection with any liquor was there ever a suggestion made to you by the Attorney General or Deputy Attorney General that you should show favouritism or do anything of that kind? A.—No.

Q.—Was there any suggestion of any kind in any way made by Mr. Browning to you as to what story you were to tell here? A.—No, absolutely none.

Q.—I just want to clear that up. Now, coming to this transaction—you say there was only one transaction? A.—Pardon me, if I might explain. It was on my own volition I went to Mr. Browning.

Q.—You did not make that clear to Mr. Weir. You went to Mr. Browning? A.—I went to Mr. Browning.

Q.—He did not send for you to talk it over? A.—No.

Q.—But you went to him? A.—Yes.

Q.—You knew what you were being brought up here on? A.—Yes, I saw a copy of the telegram.

Q.—What telegram? A.—That Mr. Forster sent to the Premier. That is my first intimation that I was pulled into this thing at all.

Q.—And how did you come to come to Edmonton? A.—I got a delayed telegram from Mr. Browning. I got to Calgary last Wednesday but I was out on the C.N.R. and I tried to get here on Thursday and I could not do it.

Q.—Did you know why you were being brought here? A.—Well, I presumed; I did not know.

Q.—And you say that you yourself went to Mr. Browning's office on your own volition? A.—Yes.

Q.—I want you to be specific about that. Did you tell the story or did you introduce the conversation, or how was it? A.—Well, I felt a little, of course—

Q.—Just follow my questions, please, never mind how you felt. Did you start the conversation or was Mr. Browning trying to pump you or how was it? A.—No, I started in to tell it.

Q.—You told your recollection of what occurred, to Mr. Browning, I suppose? A.—Yes.

Q.—Did he suggest in any way whatever that you should vary your recollection? A.—No.

Q.—Did anybody else? Did Mr. Boyle? A.—No.

Q.—Now, then, we get you down to the liquor store on the 6th, 7th, 8th and 9th. And there was only one transaction of Boudreau for \$400? A.—That is all I had anything to do with.

Q.—And I suppose you people were very busy down there? A.—Very busy.

Q.—And I suppose there were several people in there at that time? A.—Yes, I believe there were.

Q.—What is your recollection? A.—There were some there.

Q.—How many were there? A.—Two or three I think.

Q.—Possibly more and possibly less? A.—Yes, others were waiting on other people, as the case would be.

Q.—Do you know who the others were that were waiting? A.—I do not.

Q.—Do you know the druggist in the Dominion Drug Store? Do you know him personally? A.—I do not.

Q.—Do you know his name? A.—Only from what I read in the newspaper.

Q.—What is it? A.—Rowlands.

Q.—Can you say whether Mr. Rowlands was in the liquor store at the time or immediately after you spoke to Boudreau? A.—I could not say.

Q.—I suppose you could tell who came in and who went out? A.—No; I am practically a stranger in Edmonton.

Q.—And when you spoke to Webster you did not consider this thing serious at all? A.—Not at all.

Q.—You did not pay any attention to it particularly? A.—No.

Q.—And you did not know what Mr. Boudreau said to Mr. Webster? A.—I did not.

Q.—And you do not know what Mr. Webster said to Boudreau? A.—No.

Q.—And you do not know what happened between them? A.—I do not.

Q.—But after that, sometime—how long, ten, fifteen or twenty minutes, or could you say? A.—Something like that, it would be a few minutes.

Q.—The liquor was put outside, was it? Is there a counter there? A.—A door leading from the corridor back to the room and it is turned with a latch. There is a door here (indicating on rough sketch). Some of this liquor would be piled here and other places and I opened this door and placed it out here, and that is where Mr. Boudreau was standing. That is where the transaction took place, and that is the outside door there and that is the street.

Q.—And what I suppose you mean is you put the liquor where it was usually placed when it was delivered? A.—Yes.

Q.—Doors or no doors; that makes no difference. Your statement is you put it where it was ordinarily put when the man was going to take it away? A.—Yes, that is, I put the heavy part of it.

Q.—It was put there? A.—Yes.

Q.—Between you you got it there. And you cannot tell us anything more about it, I suppose? A.—I do not know anything more about the transaction at all. That is my recollection.

Q.—There was nothing said to you at the time you handled it about when it was to be delivered? A.—No.

Q.—And I think you told me already you did not know Mr. Rowlands and do not know whether he came in? A.—No, I did not.

Q.—And do not know anything about that? A.—No.

Q.—Do you remember any of the quantities in this order, roughly? A.—The only things I would remember, I believe there were some cases of twenty-year-old Sandy McDonald and ten-year-old, I forget, no, ten-year-old; there were two classes and I think Mr. Boudreau got some of both.

Q.—You think he got some ten-year-old Sandy Macdonald and some twenty-year-old Sandy Macdonald? A.—That is my recollection.

Q.—Do you recollect anything else that you think he got? A.—No, I do not.

Q.—Just look at this order. Would that look like the class of goods he got, or was to get? A.—What is that?

Q.—“Alcohol,” I can read it. And there is twenty-year-old and there is ten-year-old.

A.—Yes, that is it. That is Sandy Macdonald and this is 20-year-old.

MR. EWING: Read the second one. A.—Five cases Macdonald’s ten-year-old.

MR. MACKAY: And there are five cases ten-year-old and two of twenty-year-old? A.—Yes.

Q.—That, you think, is the order? I mean that, you think, is the class of stuff you were packing up that day? A.—Yes.

Q.—Now just look at the date, then. It is dated the 7th of November. Whose writing is that? A.—I do not know.

Q.—You see, you were there on the 6th, 7th, 8th and 9th? A.—Yes.

Q.—That is dated the 7th? A.—Yes.

Q.—Sworn to—that purports to be an affidavit, sworn to by who? A.—Lucien Boudreau.

Q.—Sworn before Boudreau? A.—Yes.

Q.—And by who? A.—M. J. Rowlands.

Q.—And the date is the 7th? A.—Yes.

Q.—Perhaps this will help you. Was the condition and arrangement of the store the same when you went there first, that is on the sixth, as it was when you left on the ninth? Was any change made? A.—There is a possibility. But I was not in the store on the sixth. If you refer to the counter——

Q.—I am just asking the question. Assuming you may not have been in on the sixth, you were probably there on the seventh? A.—Yes.

Q.—Was there any change in the arrangement as to permit or not permit the public to get in where the liquor was after you went there? A.—Not in November; no, no difference in those days. There had been a difference from the days I was there two months before that.

Q.—You had been there two months before that? A.—Well, roughly.

Q.—There was a counter arranged and so on so the public could not get back to where the liquor was? A.—Yes.

Q.—I want you to be clear on that. You practically identified this order. There was no other order with Boudreau—none that I can find while you were there, that you had anything to do with that could be confused with that? A.—No, I had nothing to do with any other order but that one order of Mr. Boudreau’s.

Q.—You had nothing to do with any order of Mr. Boudreau’s but the one? A.—No.

Q.—This document that I show you is what you have referred to as the blue paper? A.—Yes, the druggist’s.

Q.—That is what you refer to as the blue paper? A.—Yes.

Q.—And it is the regular form that the druggist is supposed to swear to before he gets the liquor? A.—Yes.

Q.—And you cannot recall, in the first place, you cannot recall whether you were in the store on the sixth or not? A.—I can’t.

Q.—And you cannot say, assuming that you were not in on the sixth, whether it was the seventh or eighth or ninth that Boudreau spoke to you? A.—It would not be the ninth, because it was a Saturday.

Q.—That is helpful, now. It was not the Saturday you had the conversation with Boudreau about the liquor? A.—No.

Q.—And can you say whether it was the sixth, seventh or eighth? A.—I can’t.

Q.—You can exclude the ninth? And so far as the sixth is concerned, you are not certain whether you were there at all? A.—No.

MR. ATKINS: You left Calgary on the sixth? A.—Midnight on the sixth—midnight of the fifth and morning of the sixth.

MR. MACKAY: Is any of that writing your writing, now, or what is it, now? A.—No.

Q.—Do you know whether you filled in any of the documents, or who filled it in if a document was filled in at all, that you speak of? A.—No, I never filled in any of that at all.

Q.—I never asked you that. Do you know? There was a form of this kind that somebody started to fill in when you were talking to Boudreau, or do you recall that? A.—I merely recall one form, the one that Mr. Boudreau filled.

Q.—Did Mr. Boudreau write it himself, or did you write it? A.—Mr. Boudreau wrote it.

Q.—You were not sure before. In your main evidence you said you did not know whether Boudreau filled it or you wrote it. You told us in your evidence in chief that you did not know who did the writing, whether you did or Boudreau. I am asking now what is your recollection?

A.—My recollection is just the same. If I had not seen that and realized that that was the situation, and yet I do not remember.

Q.—What you mean is, as a matter of memory you do not know who wrote it? A.—No.

Q.—Well, do you know that is Boudreau's writing? A.—I do not.

Q.—Can you say whether this was the writing that was done then or not? A.—I could not say.

Q.—This may or may not be the document that was being filled in that you speak of? A.—Yes.

Q.—You could not say? A.—I could not say.

Q.—Did you learn anything from Mr. Boudreau about the druggist in the store who made the affidavits? A.—No, I did not.

Q.—Eh? A.—No, I did not.

Q.—Are you sure you can recall all the conversation? A.—Well, all that I recall is that the druggist makes the affidavits.

Q.—And all you replied was—— A.—In reply to the question I put to him the druggist would make the affidavit.

Q.—Boudreau told you that the druggist would make the affidavit? A.—Yes.

Q.—That he could not make it? A.—Yes.

Q.—Boudreau told you he could not make the affidavit, but the druggist would make it? A.—Yes.

Q.—Did you know as a matter of fact that there was a company or did you know anything about the company's business? A.—I did not know anything about it until reading it in the——

Q.—I mean at that time? A.—No, only from hearsay. I knew the Dominion Drug Company and Mr. Boudreau were interested.

Q.—And you would understand what he was telling you. Boudreau told you that he himself could not take the affidavit but the druggist would? A.—Yes, that is what Boudreau told me.

Q.—Do you recall anything being said to you at the time in addition to the fact that the druggist would have to make the affidavit—Boudreau was saying he would have to send it to the druggist to make? A.—No, he would take it up.

Q.—He told you he would take it up and get the druggist to make the affidavit? A.—Yes, and he would take it.

Q.—It would be sworn before him? A.—Yes.

Q.—That is, Rowlands would make the affidavit and swear it before Boudreau? A.—Yes.

Q.—Did you ever see that cheque? A.—Not to my knowledge.

Q.—The cheque I am showing you is a cheque dated the 7th November, 1918, on the Royal Bank of Canada, to pay Mr. Webster, Government Vendor, \$463. Did you ever see that?

MR. EWING: This witness cannot identify it. A.—Not to my recollection.

MR. MACKAY: You observe this much, however, that the cheque is for the exact amount of the order? A.—It likely is one to cover that amount.

Q.—That is all you can say—it is for the exact amount of the order? A.—Yes.

Q.—You were not attending to the books, were you? A.—No, I was not.

Q.—Whose writing is that: "Filled, November 9th," on this same blue sheet—the affidavit? A.—I do not know.

Q.—Do you know Mr. Webster's writing? A.—I do not.

Q.—You do not know whose writing it is. I showed you the cheque of the seventh. The date of the order is the eighth, you will observe? A.—Yes.

Q.—And there is marked on it: "Filled on November 9th" on the order. You will observe, just taking the orders, you will observe the very next order attached to this, the way they are on file in the office—you will observe this order—what is that man's name? A.—Fredetti.

Q.—That is dated November 9th? A.—Yes.

Q.—And it is marked, "Filled November 9th"? A.—Yes.

Q.—Apparently the same writing? A.—Yes.

Q.—And then following on this file in the same way the next order is dated November 9th? A.—Yes.

Q.—Whose is that? A.—That was filled November 9th.

Q.—Same writing again? A.—That was filled in the evening.

Q.—The same writing, "Filled November 9th," whoever it is, it is the same writing? A.—No, it is not the same writing.

Q.—Look at it. I don't think I am trying to mislead you. Isn't that the same writing? A.—Might be, I don't know.

Q.—Which one would you say was filled in the evening you were telling me? A.—This one.

Q.—What one is that? A.—That was one of the dentists here in the city; a pint bottle of Scotch.

Q.—What time in the evening? A.—I do not know the time. I believe it was in the evening, after supper, I believe.

Q.—What time did you leave town? A.—On the midnight train.

Q.—With reference to the Webster order—the one we are discussing which is for \$463, you did not see the goods actually taken away? A.—Yes.

Q.—You did? A.—Yes.

Q.—Who took them away? A.—I don't know the man who took them away; I know I piled out—

Q.—Never mind the piling. Who took them away? A.—I don't know who the man was.

Q.—What day of the week was the 9th? A.—The 9th would be on a Saturday.

Q.—Was it Saturday they were taken away? A.—I don't think it was Saturday.

Q.—Will you swear it was not? A.—No, I would not swear it was not, but I have a recollection it was not a Saturday.

Q.—Your recollection is it was not Saturday but you would not say positively? A.—No.

Q.—You will observe in all these—I am turning them up as they appear on the file—in all these orders, the day they are filled is marked. The first is filled—what? A.—9th.

Q.—The next one? A.—9th.

Q.—The next one? A.—9th.

Q.—The next one? A.—9th.

Q.—The next one? A.—9th.

Q.—Let me dig down. A.—9th.

MR. EWING: Is that one day's business you have there?

MR. MACKAY: I did not look it through. It is one day's filing. Away down here in an order dated the fourth you say filled on the 9th? A.—Yes.

Q.—And the last one, the order is on the ninth apparently and filled on the ninth? A.—Yes, sir.

Q.—Some of them, likely by mail, and so on. I think you said you did not receive any particular instructions when you went down to this liquor store on the 6th, 7th, 8th and 9th? A.—No.

Q.—You had conducted the liquor store for six or seven months in Calgary? A.—Yes.

Q.—And as you understood it, when the shift was being made you were brought up here just to help out during the shift? A.—That is all.

Q.—And you did not need any instructions? A.—No, I do not think I required any. I just took off my coat and jumped into the work.

Q.—Yes, naturally, naturally.

MR. EWING: Filled up the slip which you gave out on that day. Did Mr. Boudreau take that away and bring it back that day? A.—I do not know.

MR. MACKAY: Well, what happened—you handed him a blue slip? A.—I turned it over to Mr. Forster.

Q.—Mr. Boudreau spoke to you about it in the first place? A.—As I explained, he was at the counter and I went to wait on him and so on.

Q.—And you gave him a blue sheet, did you, a blank? A.—Yes.

Q.—And you had the conversation which you have mentioned. A.—Yes.

Q.—And what did he do with the blue sheet? A.—I don't know.

Q.—Did you see him again that day? You see, you cannot identify that last sheet at all. I am asking if you saw again the sheet which you delivered to Mr. Boudreau? A.—Well, I rather imagine that these red marks are mine; I don't know.

Q.—Which? A.—These ticks.

Q.—Well, if those ticks are yours when were they put on there? A.—They were put on there when that liquor was filled and placed and taken away, so we would know the thing was filled.

Q.—And if that be true, Mr. Boudreau had the blank filled out and sworn and returned to the store that day, because it was the same day he spoke to you at the counter that you filled the order, wasn't it? A.—Well, I might have filled that order before it was sworn to. I don't know that.

Q.—What is that? You might have filled what? A.—I might have filled that order before it was sworn to.

Q.—What? A.—We filled a number of things on scraps of paper. I believe you will find them here. We were doing things then that we would not do perhaps in the ordinary course of things, you see.

Q.—About how long would elapse between Mr. Boudreau first speaking to you and the time this liquor was carried away? A.—Ten or fifteen minutes.

Q.—You told my learned friend a moment ago that you did not treat this matter seriously? A.—Well, not serious enough except to turn around and tell the transaction to the Chief Vendor who was in the building.

Q.—In the first place, you refused to comply with his request yourself? A.—I did.

Q.—Then you reported it to Mr. Webster? A.—I turned it over to Mr. Webster.

Q.—You turned the transaction over? A.—The transaction over to him.

Q.—Because it was not a transaction you would handle? A.—No, I would not handle it.

Q.—And then you reported it to the chief officer, that is, the Chief Inspector? A.—I did.

Q.—Then Mr. Forster, the Chief Vendor, must have been right there when you told him? A.—He was in the building. That is my recollection, that I just turned—

Q.—He was right there; he must have been right there? A.—Yes, I think so.

Q.—And he stayed in the building? A.—Yes, he was in the building.

Q.—And stayed in the building for some time. He would be in the building for half an

hour after that—was he around there? A.—I don't know how long. His car was waiting for him to take him home.

Q.—Never mind his car. Just answer the question. Mr. Forster was there at the time and you mentioned to Mr. Forster—how long was he there after that? A.—Oh, he might have been there five minutes, he might have been there half an hour.

Q.—You were all just moving to and fro pretty close together? A.—Exactly, yes.

Q.—And he might have been there five minutes or half an hour. At the time the affidavit was drawn, Mr. Boudreau told you he could not swear to it; that the druggist would have to swear to it? A.—Yes.

Q.—Nothing secret about that at all? A.—No.

Q.—I suppose Mr. Webster would be close to you then? How far was Mr. Webster then? A.—Maybe twenty feet.

Q.—How far was Mr. Forster from you? A.—I do not know just exactly. Everybody was around and there were others in the room.

Q.—There was nothing, apparently, secret? Boudreau says, "I can't swear to this myself"? A.—The whole thing was in the open.

Q.—Boudreau says, "I can't swear to this affidavit myself, the druggist must swear to it"? A.—Yes.

Q.—You turned it over to Mr. Webster and you do not know what happened as to the affidavit or the blue print? A.—I do not.

MR. WEIR: Was Mr. Forster in that particular room at that time? A.—I could not say. I believe that the situation would be like this—I believe Mr. Binns and Mr. McVay and Mr. Douglas and Mr. Forster and others were—they were shifting the stock, taking the stock in these two back rooms and the whole thing was to and fro. I sometimes—some of them sometimes wanted me there as a kind of a referee, if any question about how money was taken in or anything, that I was not an interested party in any way except that I was an employee of the Department.

Q.—Was Mr. Forster in this particular room, or back taking stock? A.—I do not know.

Q.—Was Mr. Forster, an interested party in this particular matter, until you reported it to him, did he pay any attention to it at all? A.—No.

Q.—How soon was it after this matter occurred that you refused this liquor, that you reported it to Mr. Forster? A.—I think it maybe would be sometime that afternoon on towards the tail end.

Q.—You say it was in the afternoon? You say it was only ten minutes until the liquor was gone? A.—Well, I might have waited, and if Mr. Forster had been handy I would have given it to him right then, or I would take the first opportunity to report it.

Q.—You said you did not consider it important. Did you consider it important then? A.—I considered it important as far as I was concerned that I could not be a party to the transaction. But I realized the position in the province and I felt that perhaps there were times when we should do all we could to alleviate the suffering in the province.

Q.—Yes, that is all right. That is good. Now, then——

MR. MACKAY: You do not object to that?

MR. WEIR: No, not in the slightest, but that has got to be epidemic—putting it on the 'flu. We put it on the war a year ago, and now it is the 'flu. Has any change taken place in your conception of the importance of the thing as between that time and later? A.—No, I think the importance enough—I explained that circumstance of my own, a small item of \$2.50—I did not think anything of that because I was called upon to do it. But in this case it looked to me just a little different, that is all.

Q.—As between that transaction at that time and the importance it seems to have got now on account of publicity, has there been any change in your opinion about it? Didn't you think at that time it was a very serious violation of the Act? A.—Well, it would be serious, Mr. Weir, in the fact that I would refuse to do it.

Q.—That is what I want to get at. Having come to the conclusion it was a serious and important matter at that time, didn't you think it was a loose way of doing business? A.—Yes, I think it was a little loose way of doing business.

Q.—It was a rather reckless way of doing business even with the 'flu on. Did you interview any people about that between then and when the investigation began here? A.—Between that time and now?

Q.—Between that time and now or within the last few days? A.—I might have discussed it with Mr. Bain at Calgary, the vendor, when I went back there. I might have talked to him on the matter.

Q.—But what opinion did you express at that time? Did you leave Mr. Bain to believe you thought it was a very serious and important matter? A.—Well, we thought it was serious—yes. I think it was serious, yes, I do. I thought so.

Q.—And you still think so? A.—I thought so then, yes.

Q.—And if the evidence were turned up here and it was shown that Mr. Webster had sworn in this room that nobody had ever got a dollar's worth of liquor out of that place under those circumstances, what would you say? A.—Well, I would not like to——

Q.—If he swore that nobody but a registered druggist could get it and he would not give it to anybody——

MR. MACKAY: That is hardly a fair question to ask a witness—what he thinks of another witness' evidence.

MR. WEIR: If anybody swore that nobody ever got a drop of liquor out of there except a registered druggist, or if a man swore that nobody ever got any liquor out of there under such circumstances as these, in your opinion he would be mistaken? A.—Well, it is possible for a man to have made a mistake—yes.

Q.—A mistake of that kind, on oath? A.—Well, it is possible, I suppose.

Q.—You think Mr. Webster, being right there at the time, would have knowledge of this transaction? A.—Oh, yes, he certainly would have knowledge.

Q.—You reported it to him, as a matter of fact? A.—I turned it over to him.

Q.—After you had refused to give it to him, and he got it? A.—He was the responsible man.

Q.—Do you know who actually took the liquor out of the place? A.—Well, it was a stranger took it out, I don't know.

Q.—It was not Mr. Boudreau himself? A.—He did not do any work about it. He might have helped to lift a box or two.

Q.—You do not know the man who actually took it away? A.—I do not—no.

Q.—Did he look like a packer or chauffeur? A.—A chauffeur to me.

Q.—You do not remember anything about his personality? A.—I could not tell you.

Q.—Whether he was young or old? A.—No, I could not tell you that.

MR. DAVIDSON: When you refused Mr. Boudreau, what did he do then? He went to Mr. Webster, did he? A.—I do not remember whether—well, Mr. Webster would have to come to him.

Q.—Did you see that interview? A.—No.

Q.—Did Mr. Boudreau leave the building after you had your interview with him and the time when you started to load that liquor? A.—I do not think so.

Q.—He did not leave the building between that time? A.—My recollection is he was there during that time until the liquor was taken away.

Q.—He presided at the taking out of that liquor—he directed it, didn't he? A.—Oh, yes, yes.

MR. EWING: Did you say that a counter was fixed up between the time you were there two months ago—two months before, and November? A.—When I speak of the two months I do not want to be taken literally. It might have been six months or a month; it might have been three weeks.

Q.—What did you say that counter was put in there for? A.—So the public could not get into the rear of the store.

MR. MACKAY: Was this in the afternoon this transaction took place—in daylight? A.—Yes.

Q.—Douglas was there in the building? A.—I believe he was—yes.

MR. WEIR: Behind this counter?

MR. MACKAY: I did not say so. I am asking the question.

Q.—Forster was there? A.—Yes.

Q.—Bain was there? A.—No, Bain was the Calgary vendor.

Q.—Well, Binns? A.—Yes.

Q.—And McVay was there? A.—Yes, I believe they were.

Q.—And you were there? A.—Yes.

Q.—Webster was there? A.—Yes.

Q.—Boudreau was there? A.—Yes.

Q.—And there were others there? A.—Yes.

MR. WEIR: Was Mr. Boudreau within or without this counter that had been put up to keep the public out? A.—He was outside that.

Q.—And he was not in with these other gentlemen behind the counter? A.—No.

Q.—Between that and the street? A.—You see, this is the counter along here; now, this is open to the public, this little place here, and Mr. Boudreau was where the public should be and all this was the vendor's store. Mr. Boudreau was along here. (Indicating).

Q.—In your first evidence didn't you say when you first saw Mr. Boudreau he was in the back of the store? A.—I said I saw him twice.

Q.—What time was he at the back of the store beyond where the public was permitted to go? A.—It was on my first visit and I was in company with—I think I suggested to Mr. Douglas that we would go down to the store and when we went down there—and I don't know whether Mr. Forster was there or not, but it seems to me he drove Mr. Douglas and myself down in his car and yet I would not be certain about that. Anyway, I was there. I know that much.

Q.—That was on one of these four days? A.—Yes, and it was previous to the transaction and he was back in this room here, about that spot and I passed through. (Indicating).

Q.—When you refused Mr. Boudreau this liquor what was the next move that he made? What did he do? Did he leave you? A.—No, I left him.

Q.—And did you notice where he went? A.—No; I think he stayed outside the counter. He might have been at the desk with Mr. Webster. But that would be immaterial, I think.

Q.—Yes, but I want to get at this. Did you see Mr. Boudreau go back in there after this transaction? A.—No, absolutely no.

Q.—You do not think he went back? A.—I am quite positive at that time, because where

we were there was a lock on that door and I let loose the latch and passed on through that door and piled it up there and——

Q.—And between this place where he was standing, was Mr. Forster and Mr. Douglas and Mr. Binns and Mr. McVay and all the rest of these officials—were they without this mark or within? A.—They were within.

Q.—And Mr. Boudreau was without? A.—Yes.

Q.—And as far as your recollection goes, Mr. Boudreau did not go back there to interview Mr. Douglas or anybody else? A.—No.

MR. MACKAY: Where? A.—Where these men were taking stock of this liquor.

MR. CAMPBELL: Was that door closed? A.—Yes.

Q.—Mr. Forster could not see Mr. Boudreau? A.—No, he could not see Mr. Boudreau.

MR. EWING: I think Mr. Forster should have an opportunity of asking any questions that he may see fit to ask. He is interested in this inquiry and he is not represented.

MR. MACKAY: He should be allowed to ask all he likes.

Q.—That counter was there on the sixth or seventh? A.—I would not want to swear to that.

Q.—Will you swear if that counter was there when you say Mr. Boudreau was inside? A.—I would swear the counter was there when I did business with Mr. Boudreau.

Q.—I am not asking you that, please, now. I am asking you when you say Mr. Boudreau was inside on that occasion will you say there was a counter there? A.—No.

MR. EWING: You have just told us a moment ago that that counter was put there between the time you were there before? A.—Yes, I recollect saying that, and that is my impression. That is my impression.

Q.—Is it your impression now? A.—Yes, it is my impression, but I am not prepared to swear. I was just fitting in just the same as an ordinary clerk or labourer was. I never bothered after I left here, very much, with the transaction.

Q.—I am not saying anything about that. I am only referring now to your former statement that this counter was put there between the time you made your visit approximately two months before and your November visit. A.—Well, that is my impression of the thing. I am not prepared to swear, though, when that counter was put in.

Q.—Are you prepared to swear it was there when you first visited the store in November? A.—No.

Q.—That counter when put there would serve to keep the public from going in where you say you saw Boudreau? A.—That was the idea.

Q.—Prior to the counter being put there, a man would walk in naturally and look around? A.—Yes.

MR. PINGLE: You say the first time you remember Mr. Boudreau he was back where the liquor was? A.—Yes.

Q.—There was no counter there at that time, was there? A.—Well, I do not know. I could not say.

Q.—But the idea was this, if there was no counter there it did not make any difference whether he was behind the counter or not? He would be where the liquor was, wouldn't he?

MR. WEIR: Undoubtedly.

Q.—He was in the room with the liquor if there was no counter to keep him out? A.—No. He had to go through one of two doors to get where the liquor was.

Q.—The counter is in front of this partition? A.—The counter is there. This is the room he would go into. He would have to go through a door there and a door there to get to where the liquor was previous to the counter being there.

Q.—Afterwards you said the second time you saw him he was in front of the counter? A.—Yes.

Q.—He did not go behind the counter? A.—No.

Q.—And you would not swear the counter was there the first time? A.—No.

Q.—So it might not have been there? A.—It might not have been there. If you will look at this plan—

MR. BOUDREAU: Where you see me talking to you or anybody else did you ever see any other druggist or any other man going after liquor with the other druggist at the same place where you saw me?

MR. MACKAY: He has answered that.

A.—I have seen druggists there, yes.

MR. EWING: He said other druggists.

MR. BOUDREAU: You know what I mean. You need not try to be so 'cute.

MR. EWING: I am not trying to be 'cute.

A.—I said they were in this room here and he said, really, if they went in there they were going into a private room and I said no——

MR. MACKAY: Wasn't the counter put there—it acted as a barrier to the public going any further? A.—That is the idea.

Q.—When the counter was not there they could go further? A.—Yes.

Q.—And I suppose you saw druggists go in and look over the liquor prior to this, the same as Boudreau was doing? A.—Yes.

Q.—And wasn't the liquor stock light then and you were cutting down orders then? A.—Yes.

Q.—And I suppose—did you know what Mr. Boudreau was doing in there? Was he looking over the stock you had to see what he could get? A.—I believe that is what he was doing, but I do not know.

Q.—And, right or wrong, the liquor stock was light, and instead of filling an order as it came in you would cut it down and give him what you could? A.—Yes.

MR. PEARSON: Was it considered in a back room—a private apartment? A.—I can only give you my experience in Calgary. I can't give you my experience with regard to this matter in Edmonton.

DR. STATE: In respect to dates. The first time you saw Mr. Boudreau there, it was a previous day to that on which this business transaction occurred? A.—No, it might have been on the same day, only in the morning.

Q.—You could not swear it was a different day? A.—No.

MR. FORSTER: I know nothing about these proceedings up to this date except what I have seen in the papers, absolutely nothing. I have nothing to fear and I will ask Mr. Downey a few questions. And I am here to give a clear, concise statement.

THE CHAIRMAN: We are only dealing with one question in this Committee at the present time.

MR. FORSTER: In your evidence you stated that Mr. Boudreau took this particular form which has been shown here on the top of the day's work out, to be sworn by Mr. Rowland? A.—No, I did not swear that.

MR. WEIR: Taken out to be sworn by himself? A.—I turned the transaction over to Mr. Webster.

MR. FORSTER: Well, here is the point I want to make. I am not clear. It is right on the face of these papers that have been here—

MR. MACKAY: Ask him a question about it and you can give your own evidence afterwards.

MR. FORSTER: When this paper was brought to you was this writing in here—the quantities of liquor? A.—No.

Q.—Was this writing on the bottom here? A.—It was not.

Q.—The point I want to get at is this; here it is sworn before Mr. Boudreau on the seventh November and here it is dated in the store the eighth November. How are these two things connected together? How are these two dates like this? Or do you know anything about why these dates are different? A.—I do not know anything at all about it.

Q.—Whose writing is that? Do you know whose writing it is? A.—I do not know.

Q.—Is it in Mr. Webster's writing? I have not seen it until this minute. A.—I do not know Mr. Webster's writing. I do not want to say whose writing it is.

MR. WFIR: And that was all filled in afterwards?

MR. FORSTER: You were for seven or eight months vendor in Calgary? A.—Yes.

Q.—And during that time did you ever complete a transaction in the way this one was completed? That is, that a paper is brought to you sworn, brought to you signed by a druggist sworn before a justice of the peace and after this swearing this oath is taken to something which is blank on the paper? Did you ever see in the Calgary business it filled out in a store in that way, or see them always taken before the vendor in the store? A.—No. Usually, because I was not sure of the writing, in the early stages of the Liquor Act I used to write the order because I was more familiar.

Q.—And then they would be taken and sworn to before you as vendor? A.—Yes.

Q.—In every case? A.—Yes, except, of course, in these cases that were mailed in and sworn to later on in the country—country orders.

Q.—Do you think it is an irregular proceeding for such a transaction to take place; that is, for a blank paper like that which is sworn, then to be brought into a vendor's store, under the terms of the Liquor Act—do you think from your experience that such a proceeding is regular? Do you think it is legal? A.—Well, I would not want to say whether it is legal or not.

Q.—I will ask another question. You refused to do that transaction here. Would you have refused the same thing in Calgary? A.—Yes. I was never asked in Calgary to do it.

Q.—And you refused to complete such a transaction here? A.—Yes, I refused.

Q.—As irregular? I will use that word. I could use another word. A.—Yes.

Q.—You absolutely refused? A.—Yes, I did.

DR. STATE: The evidence brought out before this Committee—the procedure was different from what you understand it.

MR. WEIR: There have been a lot of things brought out different from what he understood.

MR. FORSTER: Do you know Mr. Boudreau to be a druggist? A.—I do not believe he is on the list.

Q.—Is he a druggist? A.—I never knew until yesterday. I asked somebody yesterday what was Mr. Boudreau's business and I did not know what he was.

Q.—Do you know what the meaning of the word "Druggist" is as defined by the Liquor Act? A.—I do.

Q.—Is Mr. Boudreau a druggist, can you state? A.—I cannot state whether he is or not.

Q.—Regarding the particular transaction. Do you know whether or not I was on the premises at the time the transaction took place? A.—I do not.

Q.—Could I have been fifty feet, eighty feet, from where you were? A.—Well, I don't know.

Q.—The building is 120 or about 120 odd feet? A.—You could have been in any of these back rooms, on this plan and you could have been in any of these rooms; I have no idea where you were at the time.

Q.—Still it is your impression that I was in the building? A.—Yes.

Q.—You saw me afterwards, immediately afterwards, in the building? A.—Yes.

Q.—Shortly afterwards, we will say that—shortly afterwards? A.—Yes.

Q.—And after this paper in that way was put before you and you refused to fill that order? A.—Yes.

Q.—Under the circumstances recited here? A.—Yes.

Q.—And then you turned it over to Mr. Webster? Were you busy on other things? Were they busy in the front store at the time? Would there have been other customers in at that time? A.—I think there were—yes.

Q.—Or were there unfilled orders which you and these workmen would be working upon at that time? My point is this—when you got through with that transaction by turning it over to Mr. Webster after refusing it, did you immediately take up some other work as you might have? A.—Yes, I would naturally go on with something else.

Q.—The point is this, could, after the time you turned it over to Mr. Webster, could Mr. Boudreau have gone through the store and back into the back end of the store without you seeing him? Could he have done that? A.—Yes, I think he could.

Q.—In the confusion that was on and the amount of work? A.—Well, I never paid any more attention to Mr. Boudreau.

Q.—Well, it is not very material because I will get it in another way. The only thing is, could he have done it? A.—I think he could—yes.

Q.—Did you see Mr. Boudreau and Mr. Douglas together at any time after this transaction, immediately after your close off? A.—Not to my knowledge.

Q.—Could Mr. Boudreau have come back into the back end of the store to where I was and ask for Mr. Douglas and take him out and talk to him in the hallway and you not know? A.—Oh, yes, he could have—yes.

Q.—Or could he have come with Mr. Douglas to Mr. Webster about this matter? A.—He could have passed backwards and forwards; I would not have paid very much attention to it.

Q.—You have stated here that beyond the fact that you would not have filled the order you did not place any great significance on any of it? You were busy, perhaps? You state that these things could have been done? A.—Yes.

Q.—Did you come to me yourself in the back room where I was working with two auditors turning over stocks? You may not know what I was doing, but you would assume I was busy with the auditors at the time? A.—Yes, I believe you were.

Q.—Did you come to me in that back room, where the confiscated liquors were kept and tell me of these proceedings? A.—I do not remember in what part of the building I reported the circumstances to you at all.

Q.—Well, we will leave it that way. Did you report them to me very soon afterwards? A.—I did.

Q.—And before you left the building? A.—Oh, yes.

Q.—And before I left the building? A.—Yes.

Q.—Did you not leave the building with me in my car? A.—I did.

Q.—Did you not come over to my house for supper with me? A.—I did.

Q.—And did you not, in the evening, in the presence of my wife, two sons, daughter-in-law and myself, repeat the whole of this transaction minutely? Didn't we discuss it back and forth? A.—Yes. I considered what I gave to you in the report in the store as official. I afterwards discussed informally the whole thing.

Q.—You came to my house. And, another thing, you and I and my wife were school friends? A.—We were.

Q.—We have been acquainted for thirty-five years or more? A.—Yes.

Q.—It is quite natural I should ask you to my house? A.—Absolutely. Very seldom I have been at the house.

Q.—Was my invitation for you to come to the house, that day, or when I first saw you, or how did it come about—or when we left in the car? A.—It might have been when we left in the car. It might have been Mrs. Forster.

Q.—It was a very natural thing to ask you. In fact, every time you were here you were asked? A.—Yes.

Q.—And you repeated this thing—this whole transaction? A.—Yes.

Q.—And you discussed it? A.—Yes.

Q.—And you gave me your views? A.—Yes, I did.

Q.—Views which enlarge upon what you have given here today to some extent. We talked freely then. You are talking now on your oath? A.—I talked freely in your home of how I felt about the transaction.

Q.—Didn't you tell me that you were so disgusted with the transaction that you would not

stay there—that you were going back to Calgary at the end of the week, or words to that effect?
A.—I did—yes.

Q.—Did you tell me that you would go to Mr. Browning and discuss—that you felt he had got you up there and you were disgusted with conditions in the Vendor's store? Did you tell me that? And that you were going to Mr. Browning to make a *complaint* with reference to this particular matter—not to make a complaint, but to tell him of the transaction? A.—I might have.

Q.—Was that a matter of conversation? A.—It might have been; I don't know just. I remember particularly about the Vendor's store down here but I don't know what I stated in regard to the other. I would not like to swear to that.

Q.—I want to ask a question again. In your seven or eight months' experience in Calgary, would like you to admit this, too. Did you, on frequent occasions in Calgary, when I was there, assist me in my end of the work? A.—I did.

Q.—Why was it? Was it on my request? A.—Yes.

Q.—And was it because you had experience in the work? A.—Well, I presume it was.

Q.—Was it because you had experience in the work that Mr. Browning, too, sent for you to come up here at the particular time you came? A.—I took it for granted that is what it was for—yes.

Q.—That you, with your experience, would probably be the best qualified man in the province to step in and be of assistance during this influenza epidemic? A.—Yes, I took it for granted that is why I was wanted.

Q.—Those were natural things? A.—Yes.

Q.—And while at Calgary and during all your experience in connection with the liquor store business, do you know of any other transaction taking place similar to this one except the one you recited here today? Do you know of the Calgary Vendor—do you know of anybody in connection with the Government liquor business doing a thing like that? They have cited one case here today with regard to a bottle of champagne— A.—No, I do not think that there was anything like it ever took place in the Calgary store.

Q.—From the four days' work that you put in in this store, would you give this Committee an opinion as to the manner in which the business was conducted there and the general manner in which it was conducted in Calgary?

MR. MACKAY: I object to this question. It has nothing to do with the case we are investigating at the present time.

MR. FORSTER: I am absolutely unfamiliar with a lot of these details Mr. Boudreau is familiar with. I am in a very peculiar position and—

MR. MACKAY: There is no evidence given in this case except what you heard this morning. We are just enquiring into one thing.

MR. FORSTER: I read evidence of other things.

MR. MACKAY: This is a special investigation.

THE CHAIRMAN: Yes, this is a special investigation.

MR. FORSTER: Perhaps I am in a serious position.

MR. EWING: We have been examining in the Public Accounts Committee for some time, but it was a special question referred to this Committee. Now, anything you wish to say regarding matters outside of this particular question you will be given the fullest opportunity for, at subsequent meetings of this Committee.

MR. FORSTER: I do want to make a full and explicit explanation of everything in connection with all these transactions and submit myself to any questions or anything this Legislature wants to put me to.

MR. EWING: We are only dealing with a specific question now, and you will certainly have, as far as I have anything to say about it, the fullest opportunity to say anything you wish to say.

MR. WEIR: I would like to know what is wrong with the question he wants to ask? He wants to know if, in the opinion of Mr. Downey—a competent witness—whether the Vendor's store was conducted in his opinion in a proper manner?

THE CHAIRMAN: Nothing to do with the question.

MR. WEIR: If it was conducted properly there would not be an opportunity for this thing to happen.

MR. MACKAY: That is another thing.

MR. WEIR: It is this thing, specifically.

THE CHAIRMAN: Does not refer to this case at all.

MR. WEIR: If this place was conducted in a loose and careless manner then the opportunity was permitted and allowed for this thing to happen which has happened.

THE CHAIRMAN: He will have an opportunity to explain that in the Public Accounts Committee.

MR. MACKAY: The statement is plain, that Webster knowingly allowed him to do a certain thing. How the store was conducted has nothing to do with it.

MR. WEIR: If the contributory conditions—

MR. MACKAY: No, no.

DR. STATE: The member from Nanton is not a lawyer.

MR. WEIR: No, and I am not a doctor or a bootlegger—two things I am not.

THE CHAIRMAN: I ask you to withdraw that insinuation from the member.

MR. WEIR: I made no insinuation.

THE CHAIRMAN: Withdraw that statement!

MR. WEIR: I will not withdraw the statement.

THE CHAIRMAN: Then this Committee will adjourn until such time as you will be amenable to order. You made an insinuation on the member for Clearwater.

MR. WEIR: I did not.

THE CHAIRMAN: In my opinion you did.

DR. STANLEY: Will you state the insinuation?

THE CHAIRMAN: The insinuation was he was a bootlegger.

MR. WEIR: I said I was neither a doctor nor a bootlegger.

THE CHAIRMAN: He is a doctor, but not a bootlegger.

MR. WEIR: The cap does not fit him, then. I said I am neither a doctor nor a bootlegger. I will not withdraw it even if the Sergeant-at-Arms has to remove me.

THE CHAIRMAN: Then this Committee will adjourn.

MR. HOADLEY: You have no right to adjourn. You have a right to correct a member of this Committee but you have no right to adjourn it when it is doing business. It can only adjourn on motion.

THE CHAIRMAN: I have an absolute right to adjourn where a member will not obey any order and where he is defying the authority of the Chair.

MR. PINGLE: If you will withdraw the insinuation it might overcome the difficulty.

MR. WEIR: I made no insinuation.

DR. STATE: The honourable member for Nanton couples the names "Doctor" and "Bootlegger" absolutely in the same sentence and together. Now, if it was not his intention to create that impression and that insinuation, I am satisfied for him to make a public statement to that effect.

MR. MACKAY: I was going to make that suggestion. I think we have got it now. The member for Nanton said he was not a doctor nor a bootlegger, and Dr. State thought he meant that as an insinuation and Mr. Weir said he did not mean it as an insinuation and then—

MR. WEIR: That is just it.

MR. MACKAY: And then he was just talking. Will you accept that?

DR. STATE: I will accept that construction of the situation.

MR. MACKAY: Mr. Weir states distinctly he did not mean the phrase "Bootlegger" as an insinuation and the member for Clearwater accepts it.

MR. WEIR: I made this statement in regard to myself and not to the honourable member at all. I simply said that I personally was neither a doctor nor a bootlegger, and the honourable member had not any right to take that up that way at all. That is up to him if he wants to take it that way.

MR. EWING: I was attempting to make plain to you, not that your question was out of order—I think it was a good question. But I will read to you the paragraph in your letter which you may not know, but this is the paragraph in a certain letter of yours to which Mr. Boudreau took exception, and the statements in which are being investigated by this Committee now. (Reading.)

"On Friday afternoon, the 8th instant, when our mutual friend, the member for St. Albert 'who was not a privileged person within the meaning of the Liquor Act, purchased in the Vendor's store some Four Hundred Dollars' worth of liquor and after delivery being refused without payment by one employee he was allowed to remove the liquor from the store without payment. I think the transaction involves two infractions of the Liquor Act. I happened to be in the store with two auditors turning over the stocks to my successor in office. A person would have to be both lacking in honour and recreant to the duties of office to condone and palliate the doing of Government business along such lines."

Q.—That is your letter and it is the statements contained in that that are being examined into. And after we have examined into and made a finding on this you will have the fullest opportunity in connection with all other matters to make statements to this Committee.

MR. FORSTER: I wanted to be quite clear on that point. I did not know, of course I would be allowed the privilege of questioning a witness here. I did not know my status. As I understand, a suit has been entered against me and I did not know whether it would prejudice my standing and consequently I was not prepared. I have not seen Mr. Downey, I do not think from the time the transaction took place until I saw him in this outer room this morning. I have seen him I have never discussed the matter.

Q.—Have you seen him since the time you were here? A.—No. Oh, no, I have not seen him since I was here in November. I do not think so.

MR. EWING: In view of what he has said, I think Mr. Downey will be here for a day or two and I think Mr. Forster should have an opportunity of examining him at a later date—at tomorrow's session.

MR. MACKAY: He can recall him. He knows as much as the rest of us about it.

MR. EWING: He is not skilled in this work and not accustomed to do it, but he is doing very well.

MR. FORSTER: I will be quite satisfied not to ask him any questions—

MR. MACKAY: You have full liberty to ask him any question you wish in regard to this question.

MR. FORSTER: You stated at the outset in your evidence today at the interview you had with Mr. Boudreau he said he would send the cheque with the affidavit the next day. You will say that? A.—Yes.

Q.—He said he would send it next day? A.—Yes.

Q.—You also stated that the goods were to be delivered at the time? A.—Well, I did not state that there was any—

Q.—Now let me ask the question—that the goods were to be delivered at the time and that you say you actually saw the goods delivered? A.—I saw the goods delivered.

Q.—Within a reasonable time? A.—Yes, as soon as they could be got out.

Q.—You did not complete the transaction? A.—No.

Q.—Mr. Webster did complete it. That is your statement? “Mr. Webster may, but I cannot.” That is your evidence here? A.—That was my reply to Mr. Boudreau.

Q.—From your experience under the Liquor Act, do you think Mr. Webster could do what you refused to do? Do you think he could? A.—No.

Q.—Neither do I. Now, in our discussion of the matter, did we specifically state the amount of this particular transaction in dollars and cents, or did we say “Four Hundred Dollars or thereabouts” or “Some Four Hundred Dollars” or something like that? But \$463 and cents or whatever it was—was it down to fractions or cents? A.—I never remembered the exact amount. My recollection was \$400. It might have been \$401 or \$400.

Q.—Before leaving for Calgary on Saturday night, the ninth, did you go to Mr. Browning? A.—No.

Q.—Did you report the transaction to Mr. Browning? A.—I do not think I did. I do not remember. I felt that my responsibility ceased pretty well with the report. I felt that I would be relieved of it. I might, if I was in Mr. Browning’s office, I might have discussed that. I have no recollection of making a report to Mr. Browning—no.

Q.—In the conversation on Friday night, did you tell me you would? A.—I believe I did.

Q.—Did I tell you or give you the impression that I thought it was the right thing for you to do? A.—Well, now, I do not remember that. I do not know.

Q.—I would like to ask you again particularly about the dates of that transaction. You said there were three dates, on the face of it. Is there anything fixed in your mind regarding any of these dates? Did you see any date there or did you put it on? A.—I have no recollection. There are three dates here; I have no recollection of any of these dates in question. No, I never saw any of these dates not to my knowledge.

Q.—When you turned the paper over to Mr. Webster, was the paper as originally brought to you plus Mr. Boudreau’s writing on it and the quantity of liquor? Was that date November 8th on? A.—I do not know. I do not know whether it was or not. My recollection, of course, particularly was that when Mr. Boudreau got it, as I gave evidence a little while ago, in cutting it down as you yourself know, Mr. Boudreau might say: “Give me ten cases of that” and I would say—

Q.—Well, it is the date I want to get. A.—Well, I am not giving you the date. I don’t know the dates.

Q.—You will swear it is not your writing? A.—Absolutely, no.

Q.—Look at the writing on the bottom. There are two handwritings there. Do you think it is in either of these two handwritings? A.—No, I do not think it is.

Q.—And you would not be prepared to swear or to say whether or not it was Mr. Webster? A.—No.

Q.—And the 9th November. Look at the foot of that. Is there any similarity in the two of them? A.—Well, there is a similarity, but it might have been written by a different person.

Q.—I am asking you again with regard to this date of November 8th, of this transaction taking place on November 8th. The transaction took place on the 8th. You left that building with me and went to my house on a certain evening? A.—Yes.

Q.—Was that evening Friday, November 8th, the day before you went to Calgary? A.—Well, it was not November 9th; I know that.

Q.—I know that, too.

MR. WEIR: Was it the 7th?

MR. FORSTER: On November 6th or November 7th, did you go to somebody else’s home here or a Masonic lodge or something of that kind—some meeting which you told me about? A.—Yes.

Q.—Can that date be ascertained? Is it on record? A.—Well, I believe they have a record of it—yes.

Q.—You went home on Saturday night’s train, didn’t you? A.—Yes.

Q.—You did not come to my place on Saturday? A.—No.

MR. MACKAY: You were out to dinner some place—just to get the date fixed? A.—Yes, I was out to dinner on the night previous to the Boudreau transaction and I believe it was Mrs. Forster saw me the next day and I usually drop in there and she said, “Where were you for dinner last night?” and I told her where I was.

Q.—You were out for dinner the night before you were at Forster’s as you recollect it now? A.—Yes.

Q.—That is what you think? A.—Yes.

Q.—I do not know that anything particular turns on the date.

MR. FORSTER: I thought there was, and I was wanting to get the exact date.

MR. MACKAY: Your recollection is that you were out at dinner one night and the next night at Mr. Forster's and the next night at Calgary? A.—Yes.

MR. PINGLE: With respect to the two writings on the affidavit, isn't it a fact that the vendor supplies a price list and sends it out? A.—Yes.

Q.—Isn't it also a fact that the vendor is very often out of articles on this price list? A.—Yes.

Q.—Isn't it a fact that the vendor is out every day? A.—Yes.

Q.—And can't fill orders? A.—Yes.

Q.—I know this, from being out of town and I know the order comes back short of the goods. Isn't it a fact that a druggist in the city where the vendor is, might make up his list and it might be changed? That is, when he went to get the goods and you were out of them and they would be filled in in a different handwriting? A.—Yes, but it would be sworn.

Q.—Isn't it a fact he might have it changed and then take it back to be sworn? A.—Well, it was usually sworn—my experience is that the Calgary ones are usually made out in the vendor's store.

MR. MACKAY: There are not two writings in the filling. This is the point—the contention is, and I think it is a fact, the date November 8th is different to the writing of the body. It is merely that date. Evidently different.

MR. FORSTER: Regarding this particular thing here, was the vendor out of any of those liquors or was that filled right out of the stock? A.—Yes, because I told him he could have what we had.

Q.—And these other things would not affect the matter? A.—No.

Committee adjourns till 10 a.m., Wednesday, March 26th, 1919.

WEDNESDAY, MARCH 26th, 1919.—COMMITTEE RESUMES AT 10 A.M.

MR. EWING: I want to mention a little thing that occurred yesterday. When the Committee adjourned, I asked the Vendor to let me look at a book which has been before the Committee every day since we met. He refused to let me do it because the Committee had adjourned. That is not in consonance with what was said by the Premier and Attorney General, but I may say that if those kind of tactics are going to be pursued it will delay the work of this Committee very considerably and it will entail even a larger examination of the documents than I had intended making, because I do not like the suggestion that documents are not open to inspection because it looks as though they needed it. I would like to know about that.

MR. WEBSTER: I might say that Mr. Leffingwell and Mr. Ewing wanted to examine the documents after the Committee had adjourned. I told them I did not think I was within my rights in allowing anyone to see these documents after the Committee had adjourned and I did that on my own volition and if I have done wrong I would like to know it; but that is what I did.

MR. MACKAY: Technically, I suppose Mr. Webster has not done wrong, but opportunity must be given Mr. Ewing or anyone else who wants to inspect documents. I do not see any objection to your remaining here half an hour after you have given evidence.

THE CHAIRMAN: Had you made a request I would have seen that you had access to them.

MR. EWING: Yes, but you had gone. And I merely want to know where we will stand in the future.

MR. HOADLEY: Is that all the access——

MR. MACKAY: Well, I was speaking just for the Committee.

MR. WEBSTER: I would like to have it distinctly understood whether I am to show these papers to every person who asks for them or not?

MR. MACKAY: Mr. Webster is perfectly right. Those documents are in his charge; he is told to appear before the Committee with the documents and then return them to where they belong.

THE CHAIRMAN: If you make a request any time we will see you get access to them.

MR. MACKAY: He can stay half an hour, anyway, after the Committee. I thought that would be a matter of convenience to everybody.

M. J. ROWLAND, called and sworn, testified as follows:

MR. EWING: You are a registered druggist in the Province of Alberta? A.—Yes, sir.

Q.—And you are working for the Dominion Drug Company, are you? A.—Yes.

Q.—You are working on salary, are you? A.—I am working on salary and also interested in the company.

Q.—Are you a shareholder in the company? A.—Yes.

Q.—To what extent?

MR. BOUDREAU: I do not think it is fair to ask him to what extent. You are investigating Boudreau; you are not investigating Rowland's affairs.

MR. MACKAY: I suppose on this investigation you should not go into that.

MR. EWING: I do not want to start an argument about this. I think I can connect it unquestionably with this witness. I do not want to argue it; I prefer to examine the witness.

THE CHAIRMAN: As long as he says, Mr. Ewing, he is interested personally in the company I think that should be sufficient. He acknowledges his interest in the company.

MR. EWING: I want to know whether it is a nominal interest or whether it is a real interest.

MR. MACKAY: That is a matter of public policy. It is a very important question, I should think, but it does not come up on this investigation.

MR. EWING: Let the question stand in the meantime. Who engaged you? A.—Mr. Boudreau himself.

Q.—When? A.—I cannot recollect the date—about the sixth of August last.

Q.—And you have continued in his employ since? A.—Yes, sir.

Q.—Do you know who the directors of the company are? A.—No, I do not.

Q.—From whom do you take your directions and instructions in connection with the conduct of the business? A.—Well, I run the business myself.

Q.—You are a director of the company, are you? A.—No, but I manage the business.

Q.—You are a shareholder of the company, are you? A.—To the extent of one share, anyway—being a registered druggist.

Q.—And you do not know who the directors of the company are? A.—No, I never read over the papers.

Q.—Who conducts the business? A.—I conduct the business.

Q.—You are the manager of the business? A.—Yes, sir.

Q.—You are not the owner of it? A.—No, sir.

Q.—Who gives you your instructions with reference to the general conduct of the business?

A.—Well, the business part of it, do you mean?

Q.—I do not mean the internal management; you are the manager of it? A.—Yes.

Q.—And you are not the owner of it? A.—No.

Q.—Who gives you your instructions that would ordinarily come from an owner? A.—They come from Mr. Boudreau.

Q.—Anyone else? A.—No, no one else.

Q.—In connection with your practice in the purchase of liquor. When you are running down on some particular brands of liquor, we will say, what is your practice in the direction of getting more? A.—By making an application for more.

Q.—To whom do you make the application? A.—To the vendor.

Q.—Who makes the application? A.—I do.

Q.—Verbally or in writing? A.—In writing sometimes.

Q.—Do you write a letter? A.—It is made on an application form.

Q.—Do you keep the application forms in your store? A.—Oh, yes.

Q.—You have the blank application forms in your store? A.—Yes.

Q.—And you fill out one of these? A.—Yes, sir.

Q.—And sign it? A.—Yes, I sign it.

Q.—And do you take it down personally to Mr. Webster? A.—No, there are some times I cannot get down there. I may be busy and I have to send it down.

Q.—With whom do you send it down? A.—Generally the messenger that is to bring back the goods that are ordered.

Q.—Now, let me understand. You have a blank in the store, you fill out the blank, you sign it. Do you swear it? A.—I take an oath.

Q.—You swear it before Mr. Boudreau in all cases? A.—Not in all cases. I have been sworn to the vendor sometimes.

Q.—Do you remember in how many cases you have sworn before Mr. Webster? A.—No, I cannot remember.

Q.—But in the great majority of cases they are sworn before Mr. Boudreau? A.—Yes.

Q.—And they are filled out in your handwriting? A.—The goods that are ordered are not always filled out in my handwriting.

Q.—Who fills them out? A.—Sometimes Mr. Webster himself fills them and sometimes Mr. Boudreau. So long as I sign the application form they are O.K.

Q.—They are always filled out before you sign them? A.—Yes.

Q.—That is, you would not sign an application form until you knew what it was? A.—Yes; I always insist on it being filled out first.

Q.—And no one has authority from you to fill in an application that is already signed by you? A.—No, not after I have signed it.

Q.—And sometimes a messenger takes it down and sometimes Mr. Boudreau takes it down and sometimes you take it yourself down to the vendor's store? A.—Yes.

Q.—Who looks after the financial end of the business—the paying for the goods? A.—Well, I control that part, too, but I do not sign the cheques.

Q.—Who signs the cheques? A.—Mr. Boudreau.

Q.—Who makes the deposits in the bank? A.—Well, at the present time we have a bookkeeper that makes all deposits.

Q.—Who was doing it before you got the bookkeeper? A.—Mr. Boudreau was doing that.

Q.—Mr. Boudreau would do that? A.—Yes.

Q.—Mr. Boudreau did it exclusively up to the time you got the bookkeeper, did he not?
A.—Not exclusively, no. Sometimes a boy would be sent down with the money if Mr. Boudreau was not there.

Q.—But your salary and other matters in connection—all other outgoings in connection with the business—were paid for by cheque signed by Mr. Boudreau? A.—Yes.

Q.—Is this your signature? A.—Yes, sir.

Q.—I am referring to an application for liquor by a druggist or physician, dated November 8th, 1918, signed by Mr. Rowland. We will have to put that in.

MR. WEBSTER: Well, will you give me a receipt for it? That is the only protection we have.

THE CHAIRMAN: We will put it in as an exhibit and mark it.

Said document marked Exhibit 1.

MR. EWING: Just look at that? Do you remember signing that particular document?
A.—No, those documents are all right. I can't remember that particular sheet.

Q.—Can you recall the transaction which that document evidences? A.—I can the date that liquor was ordered.

Q.—You can recall that order, do you? A.—Yes, the 'flu was on at that time.

Q.—Do you recall this particular order? A.—Yes, I do.

Q.—Who made it up? A.—Well, I made up the things, the goods that were wanted—list of them, but I did not fill this in.

Q.—Do you know whose writing that is? A.—No, I do not know who filled that in. I have a copy of the order for liquors.

MR. MACKAY: Do you keep a copy of the order? A.—Yes.

MR. EWING: Have you a copy of all the orders you gave for liquor during the month of November? A.—Well, I would not say of all the orders.

Q.—Well, what practice do you follow in orders you give for liquor? A.—Well, at the time we used to make application for liquor there were no copies given at the vendor's, but now there are.

Q.—You mean these forms of application? A.—This is a requisition sheet but then there is a copy made of it. There is a white and a pink and the white we get for checking off the goods when we receive them. At that time there were no copies given out and lots of times I would have to make my own copy.

Q.—I am talking of the practice on November 8th and prior thereto? A.—As a rule I would take a copy of those goods myself on a separate slip of paper.

Q.—And did you keep those separate slips? Have you got them now? A.—I have a book in which I kept to put the liquor down—the liquor received.

Q.—They are not in slips? It is a book? A.—It is a book of my own.

Q.—And you have them all in there? A.—Yes.

Q.—Have you got that with you? A.—No.

Q.—Where is it? A.—It is at the drug store.

Q.—Will you bring that down? A.—Yes, I can bring it down.

Q.—Then in that you kept a copy of this? A.—Yes.

Q.—And where did you swear that? A.—I swore that at the Dominion Drug Store where I work.

Q.—And where did you sign it? A.—I signed it in the drug store.

Q.—And you do not know whose handwriting this is? A.—I could not swear. It looks like Mr. Boudreau's handwriting.

Q.—You made out your list of goods that you wanted to buy. To whom did you give it?
A.—I gave the list to Mr. Boudreau of goods I wanted.

Q.—And you did that in this case, did you? A.—Yes.

Q.—And did Mr. Boudreau fill out this? A.—At the same time, you mean?

Q.—Well, about that time? A.—I could not say for sure.

Q.—You could not say? A.—No.

Q.—Do you remember the transaction of actually swearing this thing before Mr. Boudreau?
A.—Yes, I can remember swearing to it on that date.

Q.—On what date? The 7th? A.—I cannot say what date it was sworn to. The goods did not come to our place till the day after.

Q.—The day after what? A.—The day after they were ordered.

Q.—When were they ordered? A.—I could not say the date.

Q.—You could not recall what date they were ordered. Then you swore this and handed it back to Mr. Boudreau, did you? A.—After it was sworn to—yes; it was handed back to Mr. Boudreau.

Q.—And he would arrange for getting the goods brought to the store? A.—Yes, sir.

Q.—As far as this particular transaction was concerned you had nothing to do with it at the time it was sworn until perhaps the goods came back to the store? A.—Yes, and till I checked the goods off.

Q.—You were not at the vendor's premises in connection with this transaction at all? A.—No, I was not.

Q.—Will the book which you have show the dates on which you swore it? A.—Yes.

Q.—And the date in which you made out the application? A.—No, there is nothing in the book other than the goods received from the vendor.

Q.—Your book will only show the date you received the stuff from the vendor, will it? A.—Yes.

Q.—Will it show the date on which you made out the order? A.—No, there is nothing on the book only the date.

Q.—What date? A.—The note of the goods received—the date they were received.

Q.—You see, you told me a moment ago that you made out the memorandum when you wanted the goods and handed them to Mr. Boudreau; and that is the memorandum which you now have? A.—Oh, no, I did not say it that way, sir.

Q.—What did you say? A.—We have a book that we keep track of the goods that come into the store, the same as a stock book, keep the stock in it.

Q.—What did you tell me about when you wanted to order goods you made out a memorandum of the goods you required? A.—That would be on any piece of paper I would pick up; I would take a note down of what I wanted.

Q.—And have you got any of these slips now? A.—No; those would be destroyed. They would be in the way around the store.

Q.—And the only thing you have is a list of the goods you received, with the date on which you received them? A.—Yes, sir.

Q.—Did you look after the payment of goods when they were received at all? A.—No, sir.

Q.—You did not make out a cheque? A.—Sometimes I would make out the cheque which was signed, for Mr. Boudreau.

Q.—You would fill out the body of the cheque? A.—Yes, the body of the cheque.

Q.—Did you do that often? A.—I do not remember doing it very often.

Q.—Was that your regular practice or only when Mr. Boudreau was ill? A.—If he was ill or if he was away anywhere, there would be cheques left, signed by Mr. Boudreau, and I would fill them in.

Q.—If he were away he would leave the cheques signed and you would fill them in? A.—Yes.

Q.—In this particular case he was not away, was he? A.—Not at that time.

Q.—And he was not ill, was he? A.—No.

Q.—And you did not make the cheque out in this case? A.—I do not remember making the cheque in that case.

Q.—You paid no attention to it when Mr. Boudreau was looking after it? You paid no attention to the payment of it at all? A.—No, sir, not to the payment.

Q.—The Dominion Drug Store is a joint stock company, is it not? A.—Well, I could not say.

Q.—You could not say that? A.—No, sir.

MR. BOUDREAU: He is not a lawyer, is he?

MR. WEIR: Now, don't start anything there.

MR. EWING: You may be giving evidence later on, Mr. Boudreau.

Q.—You are a shareholder in the company, are you? A.—I am to the extent of one share. As a registered druggist I have one share in the business.

Q.—Do you know how many shares are actually issued? A.—No, I do not.

Q.—You have not received any dividends on your share, have you? A.—No.

MR. BOUDREAU: I would like to know if these questions have any bearing on this case—if I got liquor from the vendor or not? I want to know whether this Committee is going into my personal affairs or Mr. Rowlands'?

MR. EWING: This is your reference to this Committee and I would sooner see that objection come from somebody else, if it is a valid objection. One of the things, Mr. Chairman, I understand we are investigating is whether or not Mr. Boudreau bought any liquor. I understand he says he did not, that it was a joint stock company in which he was in some way connected. I do not know what. And we will just examine into the connection you have with this company and that is what we will do.

MR. BOUDREAU: I am satisfied with your explanation, Mr. Ewing.

MR. EWING: Thank you. You do not know who the president of the company is? A.—No, sir.

Q.—You do not know who the secretary-treasurer is? A.—No.

Q.—And you do not know—do you know who any of the other shareholders are? A.—I do not know anything regarding the company outside of managing the drug store.

Q.—And you were appointed manager by whom? A.—By Mr. Boudreau.

Q.—And apart from your management the only person you know in connection with the company is Mr. Boudreau? A.—Yes, sir.

MR. WEIR: Do you know Mr. Charbonneau? A.—No.

Q.—You do not know him at all?

MR. MACKAY: Here is a document shown me. Do you know anything about it? A.—This document answers as a copy to the order that we received.

Q.—That document answers, you say? A.—This is a copy; is this the one you mean?

Q.—I am asking if you know anything about that document. It is handed to me and I

want to know what you say. You say it is a copy. Is it a copy of this? Mr. Boudreau has handed this to me. Is that your signature? A.—Yes, sir.

Q.—What is this document? A.—It is a copy of the goods we have received.

Q.—The goods that are in Exhibit 1—those are the same goods that are in this document; is that the idea? A.—Yes, sir.

Q.—I am trying to get the connection. Exhibit 1 is the regular requisition form that you swear to—this document? A.—Yes, sir.

Q.—What relation has this document to this one? When was this signed with reference to this? A.—This was signed before.

Said document marked Exhibit 2.

Q.—The document now Exhibit 2 was signed before Exhibit 1? A.—Yes.

Q.—How was it? A.—It was made before I knew what stock we wanted.

Q.—Before you knew what you wanted, did you say? A.—They were very short on liquors and I did not know what I could get at the time.

Q.—And what happened? A.—And I made this. Mr. Boudreau went down to see what they had.

Q.—You signed that Exhibit 2 and did what with it? A.—Mr. Boudreau took it down to the vendor's.

Q.—Was it filled in before that? A.—No, sir.

Q.—Exhibit 2 is not sworn to? A.—No, sir.

Q.—Did you have to sign it or why did you sign it? A.—So the vendor would know where it came from, for me.

Q.—You signed it so the vendor would know it came from you? A.—Yes, sir.

Q.—Were you in the habit of doing that? A.—I hadn't done it very often.

Q.—You gave it to Mr. Boudreau to take down to the vendor's store, as you supposed. Is that it? A.—Yes, sir.

Q.—And whose writing is this filling in the class of liquor and the quantities? Do you think it is the same writing as this? A.—I can't swear to that writing.

Q.—Do you think the writing in Exhibit 2, the quantities and so on, is the same as in Exhibit 1? I am only looking at it upside down and I have only got an opinion? A.—No, I should not think it is.

Q.—We were speaking of Exhibit 2. I think I know whose writing it is but that does not matter. Is that your writing? A.—No, sir.

Q.—Do you think it is Boudreau's writing? A.—No, I do not.

Q.—Do you know whose writing it is? A.—I do not know whose writing.

Q.—You have signed Exhibit 2. You signed it in blank, or was anything written in when you signed Exhibit 2? A.—I signed it here. This is my writing.

Q.—Right at the top? A.—Yes.

Q.—And is this your writing? A.—This is my writing.

Q.—Is that your writing—the date? A.—The date is not my writing.

Q.—You did not put the date in. Did you put the heading in? A.—Yes.

Q.—This is your writing. "M. J. Rowlands, Pharmacist," and then where the class and quantities of liquor come in and the prices—— A.—That was left blank.

Q.—And coming in below that again, medicinally, and for the drug store and Jasper and so on. That is your writing? A.—Yes.

Q.—And the signature is yours? A.—The signature is mine.

Q.—Of course it was not sworn to? It is not sworn to yet—this document? A.—Not that document.

Q.—And you gave that to Mr. Boudreau to go to the Vendor's store, and did he take it back? A.—After he got a list of the liquors they had on hand.

Q.—Did he take this document back to you? A.—Yes, sir.

Q.—And when he brought it back was this writing in showing the quantities and classes of liquor and the prices? A.—Yes.

Q.—And then what did you do? A.—I signed another requisition form.

Q.—How did you come to sign the other requisition form? A.—This did not look very good to me.

Q.—And you signed this one, is that the idea? Do you remember what time of the day he brought it back? A.—I cannot remember the time of the day.

Q.—In Exhibit 2, part of one of the figures is in ink and the other in pencil? A.—It is copied.

Q.—It is copied all in ink in Exhibit 1? A.—Yes.

Q.—Whose writing is this copy—the amounts and the figures? A.—Mr. Boudreau's.

Q.—And the date is not Boudreau's, is it, or do you know whose it is, in Exhibit 1? A.—I do not know whose it is.

Q.—Is this your writing—M. J. Rowland? A.—No, sir.

Q.—Is the document, all excepting the signature and the date, all in Mr. Boudreau's writing? Exhibit 1 I am speaking of? A.—It looks to be, except this.

Q.—That is the date. It all looks to be his writing except the date. And is that your signature? A.—Yes.

Q.—And do you remember what time of the day Exhibit 2, that is this document, was taken

away by Boudreau or what time did he come back, or do you know? A.—I can't remember what time.

Q.—Do you remember what time of the day, if it was day, that the copy was made, if it was, of Exhibit 1? A.—I do not remember the time.

Q.—You sign this and he takes it to the vendor's store and comes back with the amounts filled in and I am getting to the time when this document is made. This is clearly Webster's writing. I know it is. It is not evidence. But it has been down and back again and I should say it is Webster's figures. What I am interested in now is when did Boudreau transcribe it into this document? A.—I can't remember the time.

Q.—Do you swear it? Was it sworn before Boudreau? A.—Yes, sir.

Q.—Well, then, what became of Exhibit 1 after it was sworn? Who took it? A.—That was taken down again.

Q.—Who took it? A.—I left it alone to be taken down. It was sent down by a messenger.

Q.—Had you got the liquor before it was sent down that time? A.—No, sir.

Q.—And was it after it was sent down that time the liquor came? A.—Yes, sir.

Q.—And do you know who took it down? A.—I do not know who took it down.

Q.—Then, after Exhibit 1, as you supposed went down, the liquor came? A.—Yes.

Q.—Do you remember what time of the day the liquor came in this transaction? A.—I cannot recollect what time of day it came.

Q.—Do you know who checked it up? Would you? A.—I do not know whether I did or not, or whether I left it to someone else to check up at that time.

Q.—What became of this document, Exhibit 2? Where was it put or kept? A.—It was kept in the drawer.

Q.—What mark is that? Look at that. A.—I do not know I am responsible for the hole in that.

Q.—But I am asking if someone had a spud on his desk that he cracked it on to. Do you put your papers on a spud or did someone else? A.—No, sir.

Q.—I was just looking at the hole, and I was wondering whether you knew what happened to the document. A.—I do not know.

Q.—Did you have a document afterwards, or where was the document kept, or do you know? A.—Well, they were all put together. Sometimes I put them in folds.

Q.—What did you keep? A.—The copies of the orders filled in.

Q.—Was this the copy you kept? Is that the way you do things? A.—They had no copy that time at the Vendor's. I had to make them out myself.

Q.—What copy are you speaking of at that time—you say there was no copy at that time? A.—This would be the copy at the time.

Q.—But what copies are you speaking of that you get now? A.—We have a regular copy from the Vendor now; it is a white sheet.

Q.—What you mean is really an account that is sent back with the liquor. That is what you mean? A.—Yes, and marked "Paid" on it.

Q.—But before that system was adopted—this was before that? A.—Yes, sir.

Q.—At the time this document comes into existence, the Vendor was not in the habit of sending you back an account with the liquor? A.—Yes.

Q.—That is what I understand—the Vendor sends an account, a regular invoice, with the liquor? A.—Yes.

Q.—And you check it up by that? A.—Yes.

Q.—And you keep your own copy, I suppose? A.—Yes.

Q.—You would make out on a slip—did you keep that until you helped check it up? Or did you just take his account for it when it came back? What is your practice now? What is your practice now when you send down an order? Do you keep anything to check the order by?

A.—No, I do not, at the store.

Q.—You would take this account that the Vendor sends back? A.—Yes.

Q.—And if you have the liquor to correspond to that account that is all that is charged? A.—That is what we pay for.

Q.—Yes, that would be a checking up without keeping anything else. Do you know where that document has been kept since, in the store? A.—Yes, I found that document the other day in the store.

Q.—Well, now, where? A.—With the other list of letters.

Q.—With the other what? A.—We have other copies besides.

Q.—The same kind of copies as that? A.—No.

Q.—What do you mean—these invoices? A.—I found one paper of the 14th the same as this.

Q.—There is another paper Mr. Boudreau shows me. Is that what you found? A.—Yes, there is another one marked "Copy," right on that.

Said document marked Exhibit 3.

Q.—You found Exhibit 2, the document Mr. Ewing has, and also this Exhibit 3? A.—Yes, sir.

Q.—And you found them when? A.—Well, I do not know. They were in the drawer and I got them out of the drawer.

Q.—You looked them up the other day, is that what you mean? You got this in the drawer the other day. What documents did you keep in the drawer? A.—I kept all copies of the liquor.

Q.—That is the copies of the accounts or invoices that come back with the liquor? A.—Yes, sir.

Q.—That is what you mean. And they are all there, are they? A.—Not necessary to be kept because I entered them in a book.

Q.—I don't care what is necessary to be done. In that drawer, what was there? A.—There were copies of liquor bought for the Dominion Drug Company.

Q.—You mean by copies of liquor the invoices or account that came with the liquor into the shop? A.—Yes, sir.

Q.—And then you were going on to explain that you did not need to keep them because you do that— A.—I enter these copies into a book.

Q.—And now that we have this here—Exhibit 3; it is dated November 14th. What do you recollect about that? A.—I do not recollect very much of those dates. I am too busy to recollect.

Q.—That is a week after this, you know? A.—Yes.

Q.—I do not expect you to recollect details, but that is your signature that is struck out? A.—Yes, sir.

Q.—Would Exhibit 3 be sent down in the same way Exhibit 2 was sent down to the Vendor's? A.—Yes, that was sent down in the same way as Exhibit Number 2.

Q.—Whose writing—do you know whose writing that is where the quantities and qualities of liquor is filled in? Do you know whose writing it is? A.—I can't swear to that. The writing and figures are differently—

Q.—What is that? A.—The writing is different from the figures.

Q.—You think so? A.—I won't swear to it.

Q.—It is a difficult thing to swear to. You think it is. I would not think so myself, but that does not matter. At all events, it is not your writing? A.—No.

Q.—And you do not know whose writing it is? A.—No, I do not.

Q.—Now perhaps you can tell us this. Look at the writing filled in there in Exhibit 3—the quantities and qualities of liquor, and the writing filled in in Exhibit 2. Does it strike you as the same writing? Perhaps I had better not ask. You are not an expert on writing, are you? A.—No, I am not.

Q.—And this Exhibit 3 would be a document, you say, that was used the same as Exhibit 2? A.—Yes, sir.

Q.—Do you know about how the goods mentioned in Exhibit 1 were paid for? A.—Well, I do not know how they were paid for—whether by money or by cheque.

Q.—You did not do it? A.—I did not do it—no.

Q.—Do you know Mr. Boudreau's writing? A.—I could pretty near tell it.

Q.—You can tell Mr. Boudreau's writing. Look at that cheque. (Produced.) Is that Mr. Boudreau's writing? A.—The signature part is his.

Q.—And what about the body of it? The signature is his. That is the main thing, anyway. The signature is his? A.—Yes, sir.

Q.—That makes it his cheque.

Said cheque marked Exhibit 4.

Q.—This cheque is dated the 7th November, payable to Webster, Government Vendor, for \$463. That is what it is, isn't it? A.—\$463.

Q.—It is a cheque dated the 7th November, payable to Mr. Webster, Government Vendor, for \$463. That is what it is, isn't it? A.—That is what it says there.

Q.—Well, that is what the cheque is, isn't it? A.—Yes.

Q.—It is endorsed by W. J. Webster, Vendor? A.—Yes, sir.

Q.—And it is cashed apparently November 15th, according to the bank stamp? A.—Yes, the bank stamp.

Q.—“Merchants Bank of Canada, November 15th, teller,” and so on? A.—Yes.

Q.—Now just notice this. In this application Exhibit 2, what date is filled in there, in the jurat? It is not sworn to, but what date is filled in? A.—7th November.

Q.—What is the date of the cheque? A.—7th November.

Q.—When the amounts are filled in, what is the amount of the goods—the value? A.—\$463.

Q.—What is the amount of the cheque? A.—\$463.

MR. WEIR: Mr. Rowland, did you ever have a stock of these in the store signed ahead of time—this form? A.—I may have had one or two signed ahead of time.

Q.—You might have had? A.—Yes.

Q.—You do not know whether you had at this time or not? A.—I could not swear.

Q.—Do you remember seeing that document before, Exhibit 2? A.—Yes, I have seen that document before.

Q.—Do you remember whether you made this out at the same time that one was made out or not—Exhibit 1? A.—No, they were not.

Q.—Do you know what time elapsed between the times they were respectively made out? Which one would you say was made out first? A.—This one here, Exhibit 2.

Q.—That is November 8th? A.—November 8th.

Q.—Should this or should this not precede the cheque?

MR. MACKAY: That is hardly a fair way of putting the question.

MR. WEIR: But here is a date. This document here at the top, which is the first date we see, is November 8th. The cheque is November 7th.

MR. MACKAY: But the date in the jurat is November 7th. The other is in a different handwriting.

MR. WEIR: I know that. That is what I am trying to get at.

MR. MACKAY: I do not think there can be any doubt in the world it is Webster's.

MR. WEIR: This was made out first, Exhibit 2? A.—Yes, that was made out first.

Q.—Do you know anything about this one—Exhibit 3? A.—November 14th, Exhibit 3. That would be made out first.

Q.—Have you any idea why your name was cancelled and scratched out with a pen? A.—My name was put there to show that a party went down to see what they had. I could not get away at that time. They went down to see what liquors they had at the Vendor's.

Q.—The body stayed in and the signature was crossed out? A.—Yes, after this was called a copy. It remained as a copy of the order with my signature crossed out.

MR. EWING: I want to direct your attention to this. Look at Exhibit 2. You say that was signed by you and given to somebody to take down to the Vendor's store? A.—Yes.

Q.—And when it came back it had the body of it filled in? A.—Well, if it was filled in—I don't know whether it had the body filled in. I found out there were certain liquors down there which I expect were put on there.

Q.—Exactly. When it came back it had these various records filled in? A.—Yes, sir.

Q.—And you tell me in your examination in chief that you never signed these applications in blank and that nobody had authority to fill in anything over your name? A.—No, I did not.

MR. MACKAY: I think he did say that and I think it is explainable. It is not sworn. I think technically he is wrong.

MR. EWING: I am not referring now to the fact that this is not sworn. When it is sworn it is signed by somebody else—by the officer who swears it—but I am saying that you told me distinctly that you never signed this in blank and that no one had any authority to fill in anything over your signature? Will you alter that now? A.—To fill in over here, outside myself?

Q.—Yes. A.—Anybody can fill that in.

Q.—Were you in the habit of doing this? A.—No, I was not in the habit of signing over one or two at a time.

Q.—But do you regularly sign your name to blank application forms and give them to somebody to go down to the Vendor's store and fill them in? A.—Well, at the time I signed this.

Q.—You did it in this case, you know? A.—Yes.

Q.—Did you do it regularly? A.—Not regularly, no, sir.

Q.—How often did you do that? A.—I could not say how often I have done it.

Q.—You did it regularly and systematically as a part of your business, did you not? A.—No, sir, I did not. At that time I was very busy in the store; the 'flu was on and I could not get out.

Q.—In that particular case? A.—This particular case.

Q.—And is this the only case you can recall? A.—There is another one on the 14th in the same way.

Q.—Are those two cases as evidenced by Exhibits 2 and 3 the only cases in which you signed application forms in blank? A.—I would not swear they were the only two.

Q.—You would not swear that? A.—No, sir.

Q.—Well, just what would you swear? About how many were there? A.—I could not swear to that.

Q.—Were they numerous or otherwise? A.—I have them in the store. No, they were not numerous.

Q.—You have them in the store? A.—I have the copies of the liquor. I do not think there is any more there.

Q.—Those are the only two that were there? A.—On requisition forms like that.

Q.—You said the reason you signed it was so the Vendor would know it came from you? A.—Yes, sir.

Q.—That is, if you gave it to Mr. Boudreau and Mr. Boudreau took it down you wanted the Vendor to be sure that it came from you? A.—That I was going to make a requisition for these liquors.

Q.—Were you always present when Mr. Boudreau signed the jurat? A.—I beg your pardon.

Q.—In all the applications you made, were you present when Mr. Boudreau signed the jurat—this certificate that was sworn before Mr. Boudreau? A.—In all applications?

Q.—Yes? A.—I would not take an oath before Mr. Boudreau always.

Q.—But I mean those that were taken before him? A.—He was always in my presence.

Q.—When he signed? A.—Yes.

MR. MACKAY: That is, those that were taken before him were taken before him? A.—Yes.

MR. EWING: And he signed this in your presence in all cases? A.—Yes, sir.

Q.—And did you sign this in his presence in all cases? A.—Yes.

Q.—Did you sign Exhibit 2 in his presence? Did you sign that in his presence? A.—Yes, sir.

Q.—You were particularly careful to sign always in the presence of Mr. Boudreau, were you, in these affidavits which you took? A.—I was very careful.

Q.—You did it in all cases? A.—Yes, sir.

Q.—You did not need to do it, you know. The Liquor Act does not require that. A.—Well, I am told by the Vendor what I ought to do.

Q.—What did the Vendor tell you you ought to do? A.—He did not tell me anything in that particular case—what I have been doing previous to that. I took it his way.

Q.—I am speaking of your practice now and before you inaugurated this new practice. You said you first made out on a slip of paper which you did not keep. That is correct? A.—Yes.

Q.—The order. Then it was taken down and the order was made out as to what liquor they had. You then destroyed the slip and when the order came back you checked it up; that was all you did. And you entered it in that book which you have? A.—Yes, sir.

Q.—That was your regular practice? A.—Yes, sir.

Q.—And you destroyed all these papers? You destroyed all these slips? A.—Yes.

Q.—Have you any of them at all? A.—Well, I have one there, just a small piece of paper. I think I remember one.

Q.—Can you tell this Committee how it was that when you destroyed all the slips, which you had, that in this particular case and another of November 14th, you retained in a drawer the copy of the application form?

MR. BOUDREAU: If you will permit me?

MR. EWING: Do you understand what I mean? A.—Yes. I would keep that and tear up all the other slips. This is made out in better form than the other would be. They are only small slips of paper and the slips would be more easily lost.

Q.—Can you tell me why Exhibit 2 was the only one you made not on a slip but on the regular application form? A.—I was busy at the time and I would have made it out on anything I could have got hold of.

Q.—That would be the reason you would more likely make it out on a slip of paper than on an application form? A.—Well, it may have been brought to me to put it down.

Q.—Who brought it to you? A.—I did not say anyone brought it, but it may have been.

Q.—Is that your explanation, that following out your regular practice of making out copies of your orders on slips of paper you could find anywhere, and that having made them out in the one case of November 14th, you preserved it in the application form and put it in a drawer? A.—It was put with the other copies.

Q.—Have you copies of this kind? A.—Not of that special kind.

Q.—But it was not put with the other copies because you destroyed the slips.

MR. MACKAY: There were two sets of slips.

MR. EWING: Well, let us keep at the two sets.

MR. MACKAY: He made out a slip and then an invoice came back and I think he called them both slips.

MR. EWING: No. I will go over it again.

Q.—When you wanted goods you made out the list on any slip of paper you might pick up? A.—Not always. If I was going down myself, I would not make a note at all.

Q.—I am speaking of the cases in which you did not go down? A.—I would put it down what I wanted.

Q.—And then you made out a slip on any slip of paper you could get? A.—Yes.

Q.—And then you handed that to somebody when you went down? A.—Yes, to see what they had in stock.

Q.—And the goods you finally determined to get was made out on a regular application form, signed by you and sworn before some officer? A.—Yes, sir.

Q.—And that was the only record of the transaction which you kept except the entry which you made in the book when the goods came in? A.—The entry—the stock check.

Q.—That was the only record you kept?

MR. MACKAY: He made the stock check book latterly from the account that came back.

MR. EWING: I will come to that. I want to put it fairly to you, witness, I do not want to lead you into saying something which is not true. Was there any other record kept, of the transaction? A.—Of this special transaction?

Q.—I am speaking of your ordinary practice? A.—We have no other record, only prescriptions used.

Q.—I am not speaking of the prescriptions. Of course there was a prescription came through. That is when you sold it, but that has nothing to do with the purchase? A.—No.

Q.—I will go over this again so that you and I will perfectly understand ourselves. You made out a list of goods you required, on a slip of paper? A.—Yes, sir.

Q.—And you sent that down with somebody—I am not speaking of the cases where you went yourself—and you found out what goods you could get? A.—Yes.

Q.—Then a regular application form was filled out and signed by yourself and by the officer who took the affidavit; that is correct? A.—Yes.

Q.—And then this was sent to the Vendor's office. The goods came back. And then what documents did you have then—when the goods came back in your office? What document did you get, if any? A.—We would have the copy of the order sometimes and sometimes we would not. At that time there were no copies.

Q.—I am speaking of the time before you inaugurated the system you now have? A.—It would be hard to say what we would have; sometimes we would not have anything.

Q.—And what would you have other times? A.—Sometimes I would make out a copy myself so I would have it there to show the goods I had.

Q.—But you had your books, you know? A.—Yes, but that is taken from the copy of the order that is received.

Q.—That is, the order would come back—an invoice? A.—It is an invoice.

Q.—This would remain with the Vendor. The original application would remain with the Vendor? A.—Yes.

Q.—And a slip would come back, would it, like an ordinary bill? A.—As I said, sometimes nothing would come back, only the liquor.

Q.—And sometimes there would come back a bill? A.—And sometimes if I insisted on having one, they would send it.

Q.—In the cases in which the bill did come back you would keep that after you had checked it up? A.—Most likely I would keep it.

Q.—Have you got them now? A.—After I entered them in the book it was not necessary to keep them.

Q.—And you entered that book up in all cases; that is, a complete entry? A.—Up to the time I got so busy I did not have time to do it. I only had one help, and I did not have time to do it.

Q.—The book will speak for itself when you bring it? A.—Yes.

Q.—When you entered it up in the book, did you keep the slip? A.—Not always.

Q.—Did you at all? A.—I have some slips there.

Q.—They are little square slips? A.—I have some as large as that, but the Attorney General sent down white slips.

Q.—And those are all the documents which you could possibly have in connection with an ordinary transaction? A.—That is all there should be.

Q.—Now, I come back to my question. Could you explain to me how this is apparently the one transaction—well, this and November the 14th—that the copy was made out on an original application and the copy was filed away in a drawer? Can you explain that? A.—I can't explain that, no. It would be just put in there the same as any others.

Q.—But you have not got the others? A.—I have some others; they are in the drawer.

Q.—Have you got some more slips that you made out requisitions on? A.—Yes, I have a dozen or so, or two dozen.

Q.—You have two dozen or more slips? A.—I said a dozen or more.

Q.—The original memorandum of the purchase? A.—It would be a copy of the order.

Q.—Now, do not misunderstand me. I am not speaking of the slips which the Vendor sent back when he sent the liquor. I am speaking of your original or slips which you made on scraps of paper. I am asking if you have a dozen or more of those? A.—No, not what I would make a list on.

Q.—That is what I am getting at. They are torn up and destroyed, aren't they? A.—Yes, sir.

Q.—Every one of them is. Do you know that you have a single one of these? A.—No, I do not.

Q.—Except this one and the one of November 14th? A.—That is all I can recall—yes, sir.

Q.—And of all the transactions that took place, these two are the only ones that survive? A.—I am not going to swear to that.

Q.—Well, do you know of any more surviving? A.—No, I do not.

Q.—Do you know where this came from? A.—Yes, sir.

Q.—Where did it come from? A.—It came from the drug store.

Q.—Who found it? A.—Well, they were all together.

Q.—What way together—in the drawer? A.—I do not know whether I got it or Mr. Boudreau. They were all in the drawer. Anybody could have found it.

Q.—But I am not asking whether anybody could have found it. I am asking who did find it? A.—Well, I could not tell you.

Q.—Do you mean to say you cannot tell me when that was found? Have you looked for it within the last few days? A.—I have not been bothering my head over it; no, sir.

Q.—I am not asking about the bother you took. I am asking if you looked for this? A.—No, I never looked for it.

Q.—And you did not find it? A.—I cannot remember finding it.

Q.—Will you say you did not find it? I want you to speak frankly. You are on your oath. There is no harm in telling the truth at all. A.—We were going through the liquor slips.

Q.—Who was going through the liquor slips? A.—In the store.

Q.—Who was going through them? A.—I was the other day. We looked them over occasionally.

Q.—Who was looking them over? A.—We have two clerks besides myself.

Q.—Who was looking through them with you? A.—There was no one going through them for anything; just looking over them.

Q.—Are you giving me the impression that you were just looking over them for pastime? You were not looking for anything? A.—We were not looking for anything special.

Q.—Do you mean to say you were just going through a drawer, not looking for anything?
A.—We were looking over these.

Q.—Well, I want to get the facts. I do not want to take up all the time of this Committee.
A.—Well, I came across these slips the other day. They were in the drawer where the slips were and I came across these two.

Q.—Was anyone else looking through the drawer at the same time with you? A.—No, sir.

Q.—Did you have any enquiry about these? A.—I did not.

Q.—What did you do about it? A.—I might have read the papers. I looked it up for curiosity.

Q.—Yes. It was curiosity that led you to look this up? A.—Yes.

Q.—Did anyone suggest to you you look it up? A.—No, sir.

Q.—And just out of your curiosity you looked it up. A marvellous thing it was you found just this one paper that dealt with this transaction, in the drawer! A.—Well, there was the other one there.

Q.—And what did you do with it when you found this document—the salvation of the situation? A.—Well, they were all put back together.

Q.—Did you tell anybody you found it? A.—I did not see anybody to tell that.

A.—I am asking if you told anybody you had found this document? A.—No, I did not.

Q.—So that you found this document; you were reading the papers and you found this document that dealt with the identical transaction in question and you left it in the drawer and said nothing about it. Is that what you tell this Committee? A.—I found it the same as I found any others.

Q.—I am not asking that. I am asking if you told anyone about it? A.—No, sir.

Q.—Can you tell me how it happened to get down here before this Committee? A.—I did not bring it down.

Q.—Don't you know who brought it down? A.—I did not say who brought it down.

Q.—I am not asking that. I am asking if you knew who brought it down? A.—No, sir.

Q.—Did you see anybody take it out of the drawer? A.—No, sir.

Q.—Would anybody have any right but you to take it out of the drawer? A.—Yes, anyone could take it out.

Q.—Who could? A.—Any of the clerks.

Q.—Any of the clerks in your store could remove the documents and take them away? A.—Yes, a copy of an order.

Q.—No, it is not that at all. But any of the clerks could remove it from the store, could they? A.—Yes.

Q.—You would not think it wrong if any of the clerks took any document out of the store and took it away, would you? A.—I would not think it wrong if they took a copy of an order.

Q.—When was it you happened to find this, when out of curiosity you were looking through the drawer—when was it you found this—about when? A.—A few days ago.

Q.—Can you tell us, or was it a week ago? A.—No, it was not quite a week ago. I knew they were there because I copied my orders into the book, sometimes seven or eight at a time.

Q.—And you knew what? A.—The copies were all there.

Q.—The copies of what? A.—Of liquor that we had received—the old slips.

Q.—Did you ever tell anyone that you found that particular document, Exhibit 2? I want to make that clear. A.—No, I did not.

Q.—That is all you have to say about that now, is it? A.—Yes, sir.

Q.—You were surprised to see this document Exhibit 2, down here this morning? A.—I knew the document as soon as I saw it.

Q.—I am asking you if you were surprised when it turned up here this morning, that it was preserved? A.—It was not preserved any more than the other copies.

Q.—I do not want to go back over that with you. But it is a remarkable document, that it was not lost you know. It was not destroyed and it was found in a drawer and even then no one was told about it, and lo, it comes down to this Committee!

MR. MACKAY: Mr. Boudreau handed it to me. It is perfectly plain.

MR. EWING: I saw him hand it to you.

MR. MACKAY: And we will get to the handwriting before we get through.

MR. EWING: I am interested in that myself.

MR. MACKAY: So am I.

Q.—I think you told us—we have been calling two things slips—the slip you made out first, that slip would be on a scrap of paper? A.—Yes, in some cases.

Q.—You were not getting the accounts back at that time from the vendor. You know what an account is—an invoice? A.—Yes, sir.

Q.—And then you would keep this slip, I suppose—if you did not, do not follow me—you would keep that slip to check up the liquor when it came back? A.—Yes, and if we got a copy of the order I would destroy the slip and keep the copy.

Q.—And from one form or another you copied them into the book? A.—Yes, and that is all we had in the book and then I would throw that away.

Q.—The rest was waste paper? A.—Yes.

Q.—Has the book got all the liquor you have in there? A.—Yes, sir.

Q.—That is what a business man would rely on, I suppose. He has to? A.—Yes.

MR. FORSTER: You are a registered druggist? A.—Yes, sir.

Q.—And you have been practising in the province for some time, have you? A.—Yes, sir.

Q.—Before you entered into an engagement with this company, you were practising as a druggist some place else? A.—Yes, sir.

Q.—As a registered druggist, you were quite familiar with the Liquor Act and its terms? You know the Act under which you worked? You know the reference in the Act, I suppose, to druggists? A.—Yes.

Q.—And their relations with the vendor? A.—Yes.

Q.—And do you know the regulations in the Act with reference to joint stock companies—drug companies—and the vendor? A.—Well, I would not go down that far.

Q.—As a practising druggist you either have not read or you do not know? A.—I know what is in the Act regarding liquor sales.

Q.—Do you know what is in the Act regarding business between drug companies and the vendor? A.—I do not.

MR. WEIR: This would take the place, in your opinion, of one of those slips, as being the original copy of your order? A.—This would be the original copy of the order.

Q.—This would be the same as one of the slips? A.—These slips do not amount to anything.

Q.—I know what they do not amount to. But this, in your opinion, takes the place of one of those original copies? A.—That is a copy.

Q.—Did you tell anybody you had discovered this invoice? A.—No, I did not tell anybody I had discovered that.

Q.—You did not tell anybody you had found this invoice? A.—No, sir.

Q.—Did you give it to anybody? A.—No, I did not, sir.

Q.—Did you just turn it over and read it and put it back in the drawer? A.—I may have laid it out—I don't know.

Q.—You do not know what became of it? A.—I did not even read it through. I don't know.

Q.—You just came across this one and this one here and you read it, glanced them over, and did you leave them in the drawer or take them out? A.—I could not be sure whether I put it back or took it out.

Q.—You had no conversation with anybody at all? A.—No, sir.

Q.—You simply passed it out as an incident of the day? A.—Yes.

Q.—And forgot about it as far as you were concerned? A.—I went on with my work.

Q.—And you do not know how it came to get here to this Committee? A.—No, I do not.

Q.—You had no conversation with anybody about it? A.—No, sir.

Q.—Was Mr. Boudreau in the store at the time you discovered this? A.—No, he was not.

Q.—He was not there at the time? A.—No, sir.

Q.—As far as you know, you do not know whether he knew anything about this paper or not? A.—I don't know whether he knew anything about it.

Q.—Let me ask you the question Mr. Ewing asked you. Have you any explanation as to how these two come to be original copies which took the place of your slips and these two are kept in the drawer? How do these two of these peculiar dates happen to be the two, only, so far as you know that are left, all the other slips giving this particular information as original copies of the orders are destroyed except these two? Don't you know anything about why these two are kept? A.—No, I do not, only I would sooner keep those two than keep a small slip of paper, which would be destroyed easily.

Q.—But you destroyed the others designedly? You had no need of them after you put the information into your book? You did not need them as a record any more? A.—They were not kept as a record.

Q.—And those two were kept. Will you tell me how many of these as a rule you signed in blank and kept in the store—how many at a time? A.—I can't say. I might have signed one or two at a time; it was just as easy to sign two as sign one.

Q.—And it would not be necessary to have more than one or two at a time? A.—No.

Q.—And when this one or two that you signed were used up did you sign one or two more? A.—I may not have signed every one.

Q.—Suppose that every one of these had been signed and had gone down to the store and served its purpose, would you sign one or two more? Had you always one or two ahead of time? A.—No, sir, there were times we did not have any and I would go down myself.

Q.—But when you did have them in there did you keep one or two signed ahead? A.—Not as a rule, no, sir.

Q.—Well, about how often would you keep one or two signed ahead? What would be the object of signing one or two ahead? A.—There would be no object at all.

Q.—Why did you sign them, then? A.—During that time, the time I was busy, I would probably sign one or two or three.

Q.—And have them ahead of time to save time? A.—But that is the only time I recollect, and that is the busiest period.

Q.—And that is the only time you kept one or two ahead. When Mr. Boudreau was sick for some little time, did you sign any at that time? A.—No, sir, I did not.

Q.—You had not any ahead when he was sick? A.—No, sir, I went down myself.

Q.—Who did you take your affidavit before during his illness? A.—There were some taken before Mr. Webster and some Mr. Boileau, a commissioner.

Q.—Did you ever have any of these signed ahead by yourself and sworn to ahead of time? A.—No, sir.

Q.—You never had any sworn ahead? A.—No, sir.

Q.—Did you make any affidavits before Mr. Boudreau when he was sick? A.—No, sir, I did not go over there.

Q.—You did not go over to where he was ill? A.—I cannot remember.

Q.—You do not remember going over there and swearing any before Mr. Boudreau when he was ill? A.—No, I do not remember.

Q.—And when he was ill you would only have them at the vendor's, would you? A.—We had a registered druggist working at the time I was away—we had Mr. Brown.

Q.—And when Mr. Boudreau was sick and you were still in charge and you wanted liquor, who swore them then? Did you go yourself before the vendor? A.—What time was that?

Q.—When Mr. Boudreau was sick and you wanted liquor, did you go down yourself before the vendor and swear these before the vendor? A.—I do not remember if I went down there on all occasions.

Q.—You or Mr. Brown? A.—Mr. Boileau—well, no, I swore some before him on some occasions when Mr. Boudreau was sick.

Q.—Who signed the cheques when Mr. Boudreau was ill? A.—They could not be signed by anyone else but Mr. Boudreau.

Q.—Who took them over to him? A.—I do not know.

Q.—Did you take them over? A.—I do not remember, sir.

MR. EWING: I want to know if, at the time you found this document, Exhibit 2, you knew of the charge that had been made in the House in connection with Mr. Boudreau? A.—Yes, at the time the charge was made I was in Calgary. I heard about it.

Q.—And it was after that that you found the document, Exhibit 2, was it? A.—Oh, yea.

Q.—Can you tell me how long after? A.—No, I do not know how long it would be.

Q.—It was after you came back from Calgary? A.—Some time after it started.

MR. WEIR: How long have you worked for the Dominion Drug? A.—I started on August 6th.

Q.—Is that when the drug store started? A.—Yes, sir.

ROBERT B. DOUGLAS, called and sworn, testified as follows:

MR. EWING: What is your position, Mr. Douglas? A.—Chief Liquor Vendor for the Province of Alberta.

Q.—When did you take on these duties? A.—I think it was the 7th November, 1918, if I remember correctly.

Q.—Prior to that date the duties which you now do had been carried out by Mr. Forster? A.—I understand so.

Q.—Now, you and Mr. Forster worked together in the business connected with the taking over of the duties by you did you not? A.—Yes, which extended over probably three days. I would judge about three days.

Q.—Can you tell us what those three days were—the dates of them? A.—Well, not exactly, Mr. Ewing, it would be on the 7th, 8th and 9th, I would say.

Q.—Can you fix it by the days of the week? Or can you fix it at all? That is the main thing. A.—I think it was Thursday, Friday and Saturday, to the best of my knowledge, that is—immediately after the appointment.

Q.—Do you know the date of the appointment? A.—I think it is the 7th. It is on record in the House. The order-in-council will show the date.

Q.—And you commenced your duties immediately after you were appointed? A.—Not altogether, Mr. Ewing. You understand the stock must be taken over and it must be checked.

Q.—I mean you commenced to take over at once the stock, the checking up? A.—Yes.

Q.—The same day? A.—The following day. I think it was the following day.

Q.—And you went down to the vendor's store? A.—Yes.

Q.—And you were there about three days checking up? A.—Mr. Forster, myself, Mr. Binns and Mr. McVay. Mr. Binns and Mr. McVay were auditors who were actually taking stock.

Q.—Mr. Binns and Mr. McVay were actually taking stock? A.—They were the auditors.

Q.—And then there was Mr. Forster and yourself? A.—Yes.

Q.—Was anyone else assisting you? A.—Not at that work.

Q.—But the regular work of the store was going on at the same time? A.—It was going on.

Q.—Did you see in the three days you were around there—did you see Mr. Boudreau around there? A.—Yes.

Q.—More than once? A.—Well, I could not say more than once. We were in the back rooms the bulk of the time. There are four stock rooms and we were there checking up goods and I could not say how many times a person might be in. I remember seeing him once.

Q.—Where was he when you saw him? A.—He was at the counter.

Q.—Was he in the other rooms at all—did you see him in there? I mean the room other than the room the counter is in? A.—I could not say at that time.

Q.—Well, any other time? A.—Well, I think I have noticed Mr. Boudreau, but not very often.

Q.—In where? A.—In the back behind. If the door is open and putting out stuff for express, it is a very difficult matter to keep everybody out for a moment. We endeavour to keep them out.

Q.—I am not asking the effect—if you did not see him in there. Do you remember anything about a transaction which took place on one of those days in connection with the sale of liquor to Mr. Boudreau or to the company of which Mr. Boudreau was representative—amounting to about \$460 worth of liquor? A.—I do not know anything about the transaction of that particular day. Mr. Boudreau was in. I remember that. The following day the matter was brought to my attention—the following morning.

Q.—Who brought it to your attention? A.—Well, I am not just certain whether it was Mr. Forster or Mr. Downey.

Q.—What did they say about it, whoever spoke to you? A.—They asked me to look into the matter and see if any liquor was going out without being paid for.

Q.—And did they mention the transaction of the preceding day? A.—Yes.

Q.—What did they tell you about that transaction, of the previous day? A.—They understood Mr. Boudreau wanted liquor that day.

Q.—That is the preceding day? A.—Yes.

Q.—And? A.—And I immediately went to Mr. Webster and asked him if such a thing was happening, and he said no, it was paid for.

Q.—It was not happening? A.—No.

Q.—Were you there when the liquor was taken out that day? A.—Well, I would not know whether it was taken out or not. I would be in the building, but I would not know.

Q.—Have you any knowledge of the taking out that day? A.—No, sir.

Q.—Did you hear that discussed at all that day? A.—No, sir, I did not hear it mentioned.

Q.—And you knew nothing about it until either Mr. Forster or Mr. Downey called it to your attention on the following day? A.—The following morning.

Q.—And you spoke to Mr. Webster and he said it was not happening? A.—Yes.

Q.—And you were questioning Mr. Webster as to the general practice, were you? A.—No; I emphatically stated that must not take place.

Q.—You told him that sort of thing must not go on if it had been going on?

MR. MACKAY: What?

A.—I stated that kind of business must not take place.

Q.—And what did Webster say? A.—He said it did not take place.

MR. EWING: Mr. Webster told you it was paid for? A.—Yes.

Q.—Did you make any further enquiry? A.—No, no, I did not.

Q.—Did he say when it was paid for? A.—No, just merely said it was paid for. Well, you would infer from that statement it was, at the time. There was no chance of any business being done between the night and the time I spoke to Mr. Webster.

Q.—When did you speak to him? A.—The following morning.

Q.—Was Mr. Webster keeping a cash book at that time? A.—I do not know just what he was keeping at that time.

Q.—Did you know at that time he was keeping a cash book? A.—No, I had not entered into that part of it. At that time I did not have the keys of the lockers and until the stock was turned over the business was just running as it had been running.

Q.—And you have told us all you know about it? It was brought to your attention and you went to Mr. Webster and asked him about the transaction and he said the liquor had been paid for? A.—He satisfied me it had been paid for.

Q.—How did he satisfy you? A.—By his word; he said it was.

Q.—And you made no further investigation beyond what he said? A.—No. For one reason, the keys were not turned over to me at that particular time.

MR. MACKAY: What time of the day, or when did you learn from Mr. Downey or Mr. Forster, or whoever you learned it from—something was said about Boudreau trying to get liquor without paying for it, was it? A.—Yes.

Q.—And what time in the morning did you ask Webster about it? A.—Early in the morning.

Q.—Any business done before that? A.—I do not think so—about the time we would get there.

Q.—You asked him if there was anything in this, and what did he tell you? A.—He said no, there was nothing in it.

Q.—And that Boudreau paid for it? A.—Yes, and that all liquor was paid for before it went out unless it was on Dr. Norman's order.

Q.—Exactly. And that, you say, you told me, was the very first thing in the morning? A.—As far as I recollect it.

MR. EWING: Was the counter there when you first went there? A.—Yes.

Q.—It was there the day you—— A.—Yes; they were cleaning out the shavings, and the carpenters were just taking their tools away.

Q.—And that would be about the 7th, you think? A.—I think so.

Q.—Was Mr. Downey there the first day you went there? A.—Yes, I think he was.

Q.—Had he been there the previous day or do you know that? A.—I do not know about that.

MR. FORSTER: Do you remember the afternoon in which, as you stated here, myself and the two auditors and yourself were in the back room—in the liquor warehouse room—checking over and taking over the stock? A.—I remember they were there—yes.

Q.—Do you remember that there was anybody else present during practically the whole of the proceedings? A.—That is, with us all the time there?

Q.—Yes. Was anybody else assisting the auditors in writing down the stock? And you and I went over them and repeated them aloud? A.—I do not recollect anybody else.

Q.—It would not make a great deal of significance if there was?

MR. MACKAY: Name them?

MR. FORSTER: My son was there and the auditors were there.

A.—Well, in and out occasionally, yes. Of course I did not consider he had anything to do with our work.

Q.—And you would not know at that time that he assisted—he wrote some of the stuff down and that he on the typewriter copied a lot of the lists which are embodied in the auditor's report? A.—No, I would not know that.

Q.—Now, between the time of the transaction in the afternoon of the eighth, about which complaints have been made and the time in the morning of the ninth, when you spoke to Mr. Webster, would there have been time for Mr. Webster to have been paid for this liquor in question? Wouldn't there have been a certain long number of hours intervene in which he might? A.—The night would naturally pass.

Q.—Did you go to Mr. Webster in the morning before you came over to the office here and talk to him, that is lately, when you got the information? Didn't you go in your car to the office first? A.—Yes, I usually do that. I don't know that particular morning whether I did or not.

Q.—You would be here and go through what correspondence would be there? And I spoke to you about it? A.—I said I was not very clear whether it was you or Mr. Downey mentioned the matter to me. It was one of the two.

Q.—I am not clear about that particular time. But did you go to this office here? A.—I could not tell you that.

Q.—And then go from this office to the vendor's office—I mean the office down in this building here? A.—It is my custom every day to go there first. Now, whether I did that day or not I could not tell, but there are certain days I did not do that; for instance, this morning I did not do that.

Q.—The only point was there might have been certain business transactions at the vendor's store before you got there in the morning? A.—Well, it was pretty early.

Q.—But if you were down to see me first—I would not be down there until nine o'clock? A.—You were pretty early.

Q.—Yes, I know I was.

MR. MACKAY: You are giving each other a pretty good record, anyway.

MR. FORSTER: Well, I think we can do that.

MR. MACKAY: This will be a mutual admiration society soon.

MR. FORSTER: That is a point I wanted to bring out. A.—Really, I cannot state whether I was there or not.

Q.—You may have been? A.—I may have been.

Q.—And if you were there you would not have been at the vendor's office as soon as if you had gone direct to the vendor's office? A.—Well, only a few minutes later.

Q.—I wish Mr. Downey recalled.

MR. EWING: I think Mr. Forster, perhaps, ought to have some voice in the calling of these witnesses and in the order in which they are called.

THE CHAIRMAN: If Mr. Forster wishes any witnesses he will let me know and I will call them for him.

MR. DOWNEY, recalled:

THE CHAIRMAN: You are already sworn and you are still on oath.

MR. FORSTER: Between yesterday's session and this present session, you have had no communication with myself in any way, direct or indirect? A.—I never saw you from the time I left the building until this morning.

Q.—Neither by the 'phone or any other way? A.—No.

Q.—In your evidence yesterday you stated that Mr. Boudreau came to you at the counter in the store to purchase liquor? A.—I did.

Q.—I would like to submit these two plans of the store. Would you recognize that as a fair drawing of the locations of the vendor's premises? (Produced). A.—I would.

Q.—Would you recognize the room marked "D" as the vendor's liquor room—this portion here in the vendor's office? A.—Yes.

Q.—"A," "B" and "C"—would you recognize those as the rooms that were used by the inspector and subsequently by the chief vendor? A.—I do.

Q.—Would you recognize rooms "E" and "F"—one as a bottle and jug room and the other

as a wash room and store room and toilet? A.—I recognize this as the wash room, the bottle and jug room, yes. There was another small room next to the stairway, I believe, yes.

Said plan marked Exhibit 5.

Q.—Would this be a fair drawing of the store after the counter had been put in, and the partition in the vendor's portion of it—the store? (Produced.) A.—Well, this is not as complete as the other.

Q.—Well, this is just the fore part? A.—Oh, yes, the fore part—yes.

Q.—Would this be the entrance from the street here (marked "J")? A.—Yes.

Q.—This portion here would be the public hallway? A.—It would.

Q.—And this would be the counter? A.—Yes.

Q.—And this would be the vendor's office? A.—Yes.

Q.—Was there a portion of this partition here—this room and these two rooms embodied into one room, and the toilet which was open in the centre of a large room, or in the side of a large room—was that enclosed in? A.—I think it must have been after. I do not remember that change.

Q.—You remember the counter being there? A.—I do.

Said plan marked Exhibit 6.

Q.—When Mr. Boudreau came to you with this order on the eighth you handed him the regular requisition form? A.—I did.

Q.—He wrote out his order in your presence? A.—He did. That is, he wrote it out or I wrote it out, one of us wrote it out.

Q.—It was written out in your presence, anyway? A.—Yes.

Q.—You asked him to sign it and take the oath? A.—Yes, he did.

Q.—Did he tell you he could not take the oath? A.—Yes.

Q.—Did he tell you why he could not? A.—Yes.

MR. MACKAY: I do not want to stop you, but we were over all this yesterday, and unless you are trying to develop something new—

MR. FORSTER: I will delay the Committee as little as possible. Did Mr. Boudreau tell you he was not a druggist? A.—He gave me to understand that, yes.

Q.—From your experience with the business and knowledge of the Act, did you consider that he, who admitted to you that he could not take the oath, was qualified to do the buying and selecting of the liquors?

MR. MACKAY: What is the question?

MR. FORSTER: From your experience of the business and knowledge of the Act, did you consider that Mr. Boudreau, who had admitted to you that he could not take the oath, was qualified to do the buying and the selecting of the liquor? A.—I did not treat that part as serious and perhaps would have passed that for the reasons I gave yesterday in my evidence. I do not think I particularly questioned that part of it.

Q.—Well, that will be all right. You would consider that anyone who is not a druggist could, under the druggist clauses of the Liquor Act, come personally to the vendor's store and make selections and purchases of liquor? That is, come personally? A.—Of course, that has brought up a question—there may be lawyers in this room will differ.

Q.—Yes or no? Do you consider whether anybody could personally come to the vendor's and purchase liquor, if he was not a druggist, under the clauses of the Liquor Act? A.—If this affidavit had been properly signed, we will say by Mr. Rowland, taken—

Q.—Signed before you by Mr. Rowland? A.—No, if it had been signed by Mr. Rowland before a commissioner for taking affidavits and it was presented to me by Mr. Boudreau or anybody else I think I would have filled the order.

MR. MACKAY: Sure.

MR. FORSTER: That correctly answers the next question—Did you ever make a sale of liquor—a personal sale—where the person himself came to the vendor's store other than a druggist or doctor or person qualified under the Act? A.—Will, you repeat that?

Q.—Did you ever make a sale of liquor that was a personal sale where the party requiring the liquors came himself to the vendor's store, to a person other than a druggist or a doctor or a person qualified to purchase—that is, a privileged person? A.—I had a clerk in a drug store do that.

Q.—Do you believe that such a sale would be a legal sale within the meaning of the Liquor Act? A.—I would have perhaps thought so and completed the sale myself, though I am not prepared to say if in my opinion I thought it was perfectly legal.

Q.—Do you believe that a druggist's business with the vendor in any detail whatsoever can be transacted by a proxy? A.—I do not believe so. I don't think it should.

Q.—Where a drug store is transacted by a joint stock company, did you ever make sales to any member of the firm other than the druggists of the company or in the employ of the company whom you knew to be duly registered as a druggist? A.—No.

Q.—Would you make a sale of liquor in the vendor's store to a shareholder in a drug company whom you knew from the list of druggists furnished stores from the Department, was not a druggist? A.—Well, now, repeat that again, Mr. Forster.

Q.—Would you make a sale of liquor in a vendor's store to a shareholder in a drug company whom you knew from the list of druggists furnished the stores from the Department, was not a registered druggist? A.—Well, that is a similar question to the first and I answer, I suppose,

in the same way. If I get your meaning—that if—pardon me if I will use names and the Committee will get the idea perhaps quicker. If an application was presented to me signed by Mr. Rowland with Mr. McNaughton or Mr. MacKay or Mr. Boudreau as a commissioner for taking affidavits, by anybody, and they came down, I would fill the order, I think—yes.

Q.—Was there a list of all the registered druggists in the province furnished you as acting vendor in Calgary and kept revised from time to time as new druggists registered, or was it in the Department? A.—There was one in Calgary.

Q.—Do you consider that you have any right to sell liquors for druggists' purposes to anyone whose name was not on that list? A.—Absolutely not.

Q.—Now, if an applicant for liquor came in and you did not know and you referred to that list and you found the name was not there, have you 'phoned to Edmonton to find out from my office, or have you made further enquiry before filling the order? Would you take the chance? A.—No, I would not take the chance, because we had a great deal of trouble that way in Calgary.

Q.—In the list of druggists in the Calgary store, where there are some names of different drug companies, where there are different companies doing business as druggists? A.—Yes, there are a number of companies.

Q.—And was there also the name of the druggist who would be entitled under the Liquor Act to make the purchases on behalf of the firm—on this list furnished from the Department? A.—I could not say that. I will see the question again. In the Findlay Drug Company Mr. Findlay, of course, came down in my time and made the affidavit before me himself. No other person, I believe, but Mr. Findlay, bought liquor, for the Findlay Company. That is, up to the time of his death.

Q.—Now, in that particular company, who was the registered druggist after Mr. Findlay's death? A.—I forget. He is in the employ of the Hudson's Bay Company now as a druggist. I will maybe think of it later.

Q.—Did you make any sales to anybody other than him afterwards? A.—I did not.

Q.—You would not recognize anyone else as qualified to make a purchase for the company excepting a qualified registered druggist? A.—No, I did not recognize anybody.

Q.—If anyone else purchased liquor for that company in the vendor's store, you would consider that the sale was an irregular one under the Liquor Act or a perfectly legitimate sale? A.—Well, the question can be answered by that explanation. If it came in the regular form and the man was a common carrier or in some way like that, I would treat the messenger as a common carrier and deliver the goods.

Q.—In that case, the common carrier would be a messenger, as you say, or a delivery outfit or something of that kind? A.—Yes, he usually was. I don't know of any other cases and I can't give you an instance that it was done. I don't know of any instance where it was done.

Q.—Would you consider the transaction perfectly regular? A.—Well, I would consider it in the state of things that was I maybe would not call it irregular. I would call it very loose.

Q.—Would the looseness in that case be upon the part of the purchaser or upon the part of the vendor? A.—Well, I would consider it would be on the part of the person who purchased the liquor. If I gave it I would feel I was doing the right thing in giving that liquor to this messenger, and I would feel that the looseness was done, because during the time the liquor would leave the vendor's store until it would arrive, we will say at the Findlay Drug Company, or some other drug company, some of it might disappear, if it was not in charge of the man who owned it.

Q.—Under those circumstances, there would be no looseness on the part of the vendor—that is your answer. A.—Well, I do not think it is good form, but I perhaps would have done it—yes.

Q.—Then have you ever read Section 34 of the Liquor Act? A.—I have read it all. I don't know about that.

Q.—Do you know what that is? A.—No, I could not tell you.

Q.—(Produced). A.—Yes, I know that.

Q.—What does it read—a vendor? A.—“Shall sell for cash only.”

Q.—If a sale was made by you in the vendor's store and cash not paid for the goods sold at the time of the sale and delivery would you think you had acted regularly? A.—Oh, no, I certainly would not.

Q.—Would you think you had acted irregularly? A.—I would.

Q.—Would you consider that you had offended against section 34 of the Act? A.—Yes.

MR. MACKAY: I do not want to interfere, but this Committee will interpret the Act itself, not what the witness tells it. I would like Mr. Forster to get at the actual facts. I do not know that this man's opinion, I am not finding fault with it, is going to help us. The law is there. Get the facts!

MR. ATKINS: May we have that clause read? We do not know it.

THE CHAIRMAN (handing book to Mr. Atkins): You can read it for yourself; it will save time.

MR. EWING: “The vendor shall sell for cash only.”

MR. MACKAY: There is no misunderstanding about that.

MR. FORSTER: You understand the meaning of the words “Cash only”? Do you see in the section any other provisions for the payment of liquor than cash only? A.—No.

Q.—A cheque on a bank may be perfectly good, but is it cash? A.—It is not.

Q.—Is an unaccepted cheque on a bank, cash? A.—I would judge not.

Q.—Do you think the Act is peculiar in this section in that it did not make a wider provision for cash or for credit, for instance? A.—Well, I never questioned that part of it. I thought that on account of liquor being liquor they want to get the money.

Q.—And I suppose cash is cash. Returning to these transactions in question. You swore yesterday you refused to give Mr. Boudreau the liquors he had purchased on account of him not wanting to pay for them at the time; that he (Boudreau) said he would send down a cheque and the affidavit the next day? A.—Yes.

Q.—Do you remember me, when you reported the matter to me, that Boudreau had said to you that Mr. Webster had done that for him and that you would not do it— A.—I likely did. That is the impression of what occurred.

Q.—That is the point you objected to. The class of transaction was new to you, wasn't it? A.—Yes. Of course I had been asked by different men to come into the Vendor's store when they wanted to get a bottle of liquor, and I said we could not do any business. That is in the course of—

Q.—That is immaterial. You immediately talked this transaction over with Mr. Webster and you left that part of the matter to him? A.—I did.

Q.—You, for your part, presumed Mr. Boudreau would do as he said he would—bring in the cheque in the morning? A.—Yes.

Q.—And you had no reason at all to doubt his word? A.—Not at all.

Q.—And presumably Mr. Webster thought it would be all right; as stated by you yesterday, he told you it would be? A.—Yes.

Q.—And the order was got together? A.—That is the impression. I immediately put it up.

Q.—The order was for case goods, wasn't it, mostly—it was in bulk? There were no loose goods? A.—We put them in boxes so they could be carried in a car or something.

Q.—It would not take very long to get such an order together at all, would it? A.—Five or six minutes.

Q.—You, yourself, stated you lifted and handled some of these cases? A.—I did.

Q.—You stated Mr. Boudreau phoned for the delivery rig to come? A.—No, I did not say that. I said I believed that somebody did, at least that is the impression I tried to convey to the Committee.

Q.—Was a message sent out on the Vendor's phone in the store? A.—Well, I do not remember. My impression is it was, but I would not want to swear they telephoned from the Vendor's store for it.

Q.—You stated in your evidence yesterday that the goods were loaded in the hallway? A.—Yes.

Q.—Pending the arrival of a conveyance? A.—Yes.

Q.—Did they block the hall to any extent? A.—They did.

Q.—Did Mr. Webster lift any of these cases? Had he anything to do with the handling of them? A.—No.

Q.—Did Mr. Boudreau lift any of them? A.—Yes, Mr. Boudreau might have lifted one over to another pile because Mr. Boudreau was standing about there and I would pile the case goods pretty well around Mr. Boudreau.

Q.—He was there at the time? A.—Yes.

Q.—Did Mr. Boudreau appear to be in a hurry to get his order away from the store? A.—Well, it was getting towards closing time.

Q.—Did you think Mr. Boudreau wanted to see the liquor he had purchased loaded and taken away before he left? A.—Yes, he did; he was there.

Q.—After the goods had gone and after Mr. Boudreau left did you then come back and report the matter to me, as has already been stated? A.—As I said yesterday, you might have been for all I knew where the men were and probably you might have been right behind me.

Q.—Did you report to me that the matter took place in the room marked "A"? A.—Where I reported that—I remember entering the room marked "A" where you were at work, but I do not remember under what circumstances I entered it. I remember doing so.

Q.—That was the room, anyway, "A." Was Mr. Binns in the room and Mr. McVay? A.—Mr. McVay was, I believe.

Q.—Was Mr. Douglas in the room? A.—I think Mr. Douglas was in the room when I went back. They were taking stock.

Q.—When you reported the matter to me I was not alone? That is the point. It was in this room you reported the matter to me? A.—I do not know.

Q.—You reported the matter to me in good faith? A.—Absolutely.

Q.—It was so clear in your mind you could not colour it in any way? What you had said was absolutely correct at the time? A.—Absolutely—yes.

Q.—Did you expect I would report the matter to my superiors or let the matter drop? A.—Well, I felt I had done my part, that you were Chief Vendor, and when you knew it I washed my hands of it, practically so.

Q.—As a Government official, used to doing Government work and making reports to those over you, would you reasonably suppose it was my duty to report the matter? A.—Why, I think it was.

Q.—Is that not the regular procedure in such cases? A.—Yes, I do it right along.

Q.—Would you consider my reporting it to the Minister to be a reasonably proper proceeding on my part? A.—Yes.

Q.—Would you consider the transaction one, the particulars of which it would be advisable for the Minister to know? A.—Well, I think under just the peculiar circumstances—who were the interested parties—I think, yes. I think the Minister should know.

Q.—Well, if it was any party and the same thing took place, should it be reported? A.—No, I think the circumstances were peculiar; that was all. I felt that way.

Q.—Would you consider that my reporting this matter to the Minister or anyone in authority over me, the matters which you reported to me under the circumstances, should be the cause of an action in the Courts against myself?

MR. MACKAY: Well, surely——

A.—I don't know.

MR. WEIR: Pass that question to Boudreau.

MR. FORSTER: After this transaction took place, did you leave the store in company with myself and others? A.—I believe I did, yes.

Q.—Did the two auditors accompany us in the car as far as the Corona Hotel, do you remember? A.—I would not want to say they did.

Q.—Did this transaction take place late in the afternoon?

Q.—The counter marked on the plan is the counter over which the transaction took place? A.—It is.

Q.—In the discussion of this matter which took place at my home in the evening, did you express various opinions to me on it? A.—I likely did—yes.

Q.—Did you express an opinion as to the conduct of the business in the Vendor's store—the general conduct of the business in the Vendor's store? A.—I did.

Q.—Would you care to repeat that opinion? A.—Well, the substance of it was that coming up from Calgary and the methods employed there, and walking in on the confusion in Edmonton, and in trying to get some way of getting something out of this confusion, why, I think I said there was no head to the institution, or something like that.

Q.—Would you conduct the store in the same manner as you saw it conducted here in Edmonton if you were the Vendor? A.—Not if I could help it.

Q.—Did you actually see the liquor removed out of the Vendor's store? A.—Yes.

MR. ATKINS: Would you swear you saw that liquor delivered on a certain date? A.—No.

Committee adjourns till 10 a.m. Thursday, March 27, 1919.

THURSDAY, MARCH 27, 1919. COMMITTEE RESUMES AT 10 A.M.

WILLIAM JOHN WEBSTER, called and sworn, testified as follows:

MR. EWING: You are the Government Vendor at Edmonton? A.—I am.

Q.—And you have been Government Vendor since July, 1916? A.—Yes.

Q.—Now, with respect to each sale of liquor made by you, you keep certain documents? A.—I do.

Q.—You have an application for liquor in the printed form? A.—In the printed form—yes.

Q.—Then you also enter the sale in a daily sales book? A.—A record book—yes.

Q.—Of which you keep a copy and one copy is sent to the Department? A.—The Department.

Q.—At certain intervals you make deposits in the bank, keeping a copy of your deposit slip? A.—I do. This is what I keep. I signed the original attached to the sheets; that is taken out of that book and the originals are there. Those are the copies. (Referring to documents).

Q.—You send in your deposit slips to the bank and you keep copies of your deposit slips—carbon copies? A.—Yes.

Q.—And in addition to that you keep a cash book? A.—Part of the time I kept a cash book and part of the time I did not.

Q.—You kept a cash book up to about June, 1918? A.—No, there was an entry there.

Q.—You were keeping a cash book? A.—I started to keep a cash book first and I kept nothing there but Government money in my safe. I did not keep any then until other men came on to take charge of the cash, and then I demanded that they kept a cash book.

Q.—But between some time in July, 1918, and November, 1918, you did not keep a cash book at all? A.—No. I think those are the right dates.

Q.—On the seventh of November, you started to make regular entries in your cash book? A.—Well, Mr. Thompson did.

Q.—Well, entries were made in your office regularly from that date, commencing November 7th? A.—Yes.

Q.—That was the day Mr. Douglas came to take over the business, was it not? A.—Well, I cannot recall that in connection with the other. Mr. Douglas came there, I think, on the evening of the seventh. It was late in the evening of the seventh.

Q.—Now, then, you remember a transaction on or about the eighth day of November, 1918, in connection with the sale of liquor to Mr. Boudreau? A.—I do not.

Q.—You do not recall it at all? A.—No, sir. I never sold anything to Mr. Boudreau.

Q.—You never sold anything to Mr. Boudreau? A.—No.

Q.—Now, Mr. Webster, I want you to understand my questions and I do not want you to dodge any of them. When I say Mr. Boudreau and not Mr. Rowland and the Dominion Drug Company—— A.—You asked me, Mr. Ewing, if I remembered a transaction on the 8th of November, if I sold liquor to Mr. Boudreau, and my answer is I did not, that I never sold anything to Mr. Boudreau in the way of liquor.

Q.—Well, do you remember a transaction in which Mr. Boudreau was present in your office negotiating for the purchase of liquor? A.—On what date?

Q.—November the 8th, or 7th? A.—Yes, I think on November 7th and November 8th.

Q.—Both days? A.—Yes, I think so. That is from memory.

Q.—Just look at the paper Exhibit 1. A.—Yes, I remember that.

Q.—You remember that occasion? A.—Yes.

Q.—When did this paper come into your possession? A.—The evening of the 8th of November, because I wrote it down there. That is my writing down there. I wrote it down there, the date at which I got it.

Q.—Who delivered it to you? A.—Mr. Boudreau.

Q.—In person? A.—In person.

Q.—Whose writing is in the body of the document? A.—I do not know.

Q.—It is not yours? A.—It is not mine.

Q.—It was brought to you in its present form except for the date? A.—I received it.

Q.—About what time in the evening did you get it? A.—Well, it must have been pretty late in the evening. It must have been four or five o'clock, somewhere along there. I could not swear as to the exact time. It was after the business was very near completed that day.

MR. MACKAY: Do you call that evening—four or five o'clock? A.—Yes, I would call that evening. We should close at four o'clock but sometimes I was detained there by customers or other business until later.

MR. EWING: You told me this document was as it is now when it was handed to you by Mr. Boudreau, except the date, and you filled in the date? A.—I filled it in that evening.

Q.—And that was the correct date? A.—That was the correct date that day.

Q.—Now, how did this particular order come to your attention? A.—Well, Mr. Boudreau brought it to me.

Q.—In the first instance? A.—No, well, this was in the first instance. Before that, I might perhaps explain that Mr. Boudreau came down to know what liquors he could get.

Q.—When did he come down to know what liquors he could get? A.—Well, it was the day before.

Q.—That would be the 7th? A.—Yes. And if my memory serves me right I either filled it in or told him what he could get. I could tell if I saw the paper whether I filled it in or not, and he took that away to bring down the form completed with the affidavit attached thereto, and this is the form that I received the next evening.

Q.—Yes, I see. And Mr. Boudreau handed it to you? A.—Well, he may have laid it down but he gave it to me.

Q.—He dealt with you throughout this transaction? A.—Yes, yes.

Q.—And you then proceeded to fill it? A.—No, I did not.

Q.—Well, what did you do? A.—Well, the men—I would give them a slip or something of that kind to take and fill out, and I cannot say whether it was filled that night by the men or whether it was filled early next morning. I do not know.

Q.—You do not know? A.—No, I do not know that.

Q.—You did not fill that yourself, personally? A.—No, I did not.

Q.—Do you know who did? A.—No, I do not.

Q.—And you cannot say whether it was filled that night or the next morning? A.—No, I can't, because I did not fill it myself and I do not know.

Q.—And whose handwriting is that memorandum in lead pencil? A.—That looks to me to be Mr. Thompson's. I do not know.

Q.—It is not yours? A.—No, it is not mine. I do not know exactly whose it is, but my impression is that that letter there "Filled November 9th"—let me have the cash book so I can see his writing. (After referring to book.) There is Mr. Thompson's writing.

Q.—I just wanted to ask you if it is your handwriting? A.—No, it is not my handwriting. But that looks to me as though it may be Mr. Thompson's. Mr. Thompson would know, perhaps.

Q.—Did you have any further conversation with Mr. Boudreau about this? A.—I have not.

Q.—Did you have any further business in connection with him? A.—Regarding this?

Q.—Yes? A.—No, nothing whatever.

Q.—Now, I want you to tell me everything that happened about this. Mr. Boudreau came in some time on the evening of the 8th? A.—Yes.

Q.—And handed you this document? A.—Yes.

Q.—You handed it, or a memorandum, to someone else to be filled? A.—I think it was a memorandum, yes.

Q.—And you had no further conversation with Mr. Boudreau about it? A.—Not about that—no.

Q.—Well about anything else on that occasion? A.—Well, he might have been talking to me about something else; I cannot recall it; that is, regarding any matter of conversation.

Q.—Did Mr. Boudreau stay there until it was filled? A.—He did not.

Q.—You are sure about that? A.—Yes, I am sure he did not, because I locked the door that night and he was gone then.

Q.—I suppose he would be. It would not be filled after you locked the door, of course? A.—I can't say that. Mr. Munroe has a key of the door, the packer, the shipper, he has a key of the door, I could not say.

Q.—You could not say that? A.—No. Mr. Munroe might have gone in and filled it for all I know, after.

Q.—Was Mr. Boudreau there, when you left? A.—No, he was not.

Q.—And it might have been filled that night? A.—It might; I do not know.

Q.—Well, how do you know Mr. Boudreau did not stay there till it was filled? A.—Well, I know he was not there when I left.

Q.—But it may have been filled before you left? A.—It could not be.

Q.—You said a moment ago it might have been filled that night? A.—Quite true; after I left. Mr. Munroe might have taken the slip and filled it that night for all I know. I did not fill it.

Q.—And the order was not filled before you left the store and locked it up. A.—No, it was not filled before I left the store and locked. I locked the store up and Mr. Boudreau was not there at the time I left nor for some little time before. He might have been there after, for all I know. I do not know.

Q.—And that is all that occurred as far as you know? A.—That is all that occurred as far as I know.

Q.—That is all the business you had to do with it? A.—Yes.

Q.—And did you see Mr. Boudreau the next day? A.—I do not think it—no. I have no memory of seeing him next day at all.

Q.—You were around the office all day? A.—No, sir; at noon hour, and I was out in the ware room; I was out in the back room several times, but I did not see him if he was there.

Q.—You would have seen him if he had been getting an order of goods? A.—If he was getting an order of goods I certainly would have seen him.

Q.—And if he was taking delivery of goods you would have seen him? A.—I don't know as I would. He might have been taking delivery of goods and I would not see him. As I told you before, I was around in different parts of the building.

Q.—Do you remember Mr. Downey speaking to you about a transaction in connection with the sale of liquor? A.—I do not.

Q.—You have no recollection of that at all? A.—No recollection.

Q.—Well, did he speak to you about it? A.—Not as far as my knowledge goes.

Q.—Would you say he did not speak to you about it? A.—Well, I believe that he did not speak to me about—about anything regarding that.

Q.—You are speaking now only from your recollection? A.—From recollection only.

Q.—You would not swear positively he did not speak to you about Mr. Boudreau or anyone for whom Mr. Boudreau was acting? I do not want to quibble on those words—getting liquor on credit? A.—No.

Q.—He never spoke to you about that. You are positive about that? A.—That I am positive about because I would very quickly have told him that he was not doing any such thing.

Q.—When did the cheque for that liquor come in? A.—It came in the first time he brought down the application, that is, to find out what goods he could get, whatever date that would be. It must have been the 7th.

Q.—Let me understand what you say. Mr. Boudreau came down there to find out what goods he could get? A.—Yes.

Q.—You told him what goods he could get and the price of them? A.—Yes, I think so.

Q.—And he made up the cheque and wrote it out then and there? A.—Wrote it out then and there—yes.

Q.—And left it with you? A.—Left it with me.

Q.—That was on the 7th? A.—It was the day before that.

Q.—And there is your writing on November 8th? A.—Well, it must have been on the 7th—it was on the 7th, yes.

Q.—So that if Mr. Downey spoke to you about Mr. Boudreau getting this particular order on credit, it was not so, because before the order came into the office at all you had the cheque for it? A.—I had the cheque—yes.

Q.—Now, then, when you make your entries in your daily sales sheet, what do you call it? A.—We call them daily sales sheets.

Q.—When do you make your entry in the daily sales sheet—the day of the sale, do you? A.—Well, the day of the sale and the day that the goods were put up, ready to be shipped or delivered.

Q.—At any rate, it is always in the sales sheet; it is always entered in the sales sheet before it is delivered? A.—Oh, yes. No, no. Not always entered in the sales sheet; it is taken off

this and put into the daily sales sheets—these books here. And, for instance, like this, a man sent in an order dated on the 20th March and it was not filled, that is, it was not put up and ready to ship until the 25th. It would not go in until the date of the 25th sheet—until the sale was completed.

Q.—In other words, it is entered in your daily sales sheet before the stuff goes out of the store, is it not. A.—Not always—no, no.

Q.—It may be the following day? A.—It may be the following day.

Q.—It may be several days after? A.—It may be entered the day that the goods are filled and the shipper brings in or notifies me that the goods are ready for shipment. Then that file is put on to the filled sheet. We have two files there.

Q.—Wait till I understand it. A.—Tell me what you want.

Q.—You say it is entered on here at the time the goods are put up? A.—No, I did not say that.

Q.—When did you enter it here? A.—The next morning.

Q.—The next morning after what? A.—After the goods have been put up and I have been notified by the shipper the goods are ready for shipment. Then I take and change from this file on to the other.

Q.—As soon as you are notified that the goods are put up and ready for shipment you enter in here? A.—No, I do not. I move it from this file because it is filled. I have two files; one file that is not filled and another that is filled, and as soon as the shipper notifies me and signs anything here—"Filled"—then I change it from one file to the other. I take it from the unfilled file and put it to the filled file, and from the filled file I enter it here.

Q.—When do you enter it from the filled file into the sales sheets? A.—Now take this case. It was filled on the morning of the 9th, it looks to me to be, and that would be entered in that—

Q.—Under what date? A.—Under the 9th because it was filled that morning.

Q.—It could not be entered under the 8th in this case? A.—No, it could not.

Q.—Are you correct about your practice in this case? You carry it forward from your filled sheets and you enter it immediately almost after the order has been put upon the filled sheet—you carry it forward into this book? A.—Into that book.

Q.—On the same day? A.—If we have time to enter it in there as may be done. It may not come concurrent—

Q.—But it is always entered in your sales sheet as of the day it is filled? A.—Yes.

Q.—What day should that be entered? A.—On the 9th.

Q.—And it could not be entered before that? A.—No, it could not be entered until it was filled—no, it could not be entered.

Q.—So, in no case could this particular order—I am speaking of this order now—this order could not possibly be entered in your sales sheet as of the 8th? A.—No.

Q.—Let me read Section 17 of the Act. (Reading):

"Every vendor, druggist and physician shall keep or cause to be kept in a book to be kept for that purpose, an accurate record of every sale or other disposal made by him, his partner, his clerk, servants or agents of any liquor under and forming an ingredient in any prescription, and of any wine sold for sacramental purposes, and of each sale of any liquor or alcohol made by him, his clerk, servant or agent, for mechanical or scientific purposes, and such record shall be made before the delivery of such liquor and shall show the time when, the name and address of the person to whom sold, the name of the clerk, servant or agent by whom the sale was made, the kind and quantity sold, and the prescription or request under which the sale is made, and in default of such sale or disposal being so placed on record, every such sale shall be held to be a contravention of the provisions of this Act."

Q.—"Shall keep a book." Where is your book? A.—That.

Q.—Are you swearing to this Committee that that is your book? A.—That is the record we kept first.

Q.—I am not asking that. I am asking what your book is. A.—Those are all the books I have got.

Q.—I am asking where the book in pursuance of Section 17 of the Liquor Act is? A.—Well, if there are any different books from what I have produced, I have none.

Q.—That is the book you produced. There are no others. And that is the book you kept in pursuance of Section 17. I am not speaking of the propriety of the books. Now don't edge at all.

MR. MACKAY: He is not edging.

MR. EWING: The witness swears those sheets that are bound together are the book he keeps in pursuance of Section 17 of the Liquor Act. Do you adhere to that? A.—I adhere to it those are all the books I have or ever did have.

Q.—Answer my questions. Do you say that is the book that you kept in pursuance of Section 17 of the Liquor Act? You said it a moment ago. I want to know if you will repeat it? A.—Wait a moment, now. Let me talk, too. I know what I am talking about.

Q.—I sometimes have my doubts. A.—Well, it may not be worth much, anyway.

MR. HOADLEY: Is this witness here to answer questions or to play vaudeville?

MR. MACKAY: The most authentic record in the whole lot is the original entry, and the rest is only mere copying.

MR. WEIR: Are you giving evidence or making a statement?

MR. MACKAY: I am making a statement. I do not have to say, "By your leave."

MR. EWING: This Committee does not want to be under any misapprehension and I do not think it will be and I only want fair statements before this Committee and when this witness tells me that this is the book he keeps instead of this one——

MR. MACKAY: He has told you both. He said that was the book and it was transferred into this one.

MR. EWING: Well, if this is the kind of evidence, we will start into this thing——

MR. MACKAY: Well, then, start! I thought you were started. If you have not started in before today it is time you did start.

MR. EWING: Section 17 of this Act says he shall keep a book.

MR. MACKAY: Well, that is a question, whether the law is complied with. The responsibility may belong to the Department.

MR. EWING: Do you call this a book or not—Exhibit 1? A.—I call this a record of sales.

Q.—Do you call this a book or not? Will you answer me? A.—I don't know if I can call it a book because it is not bound.

Q.—Well, this is the book, isn't it? A.—Yes, it is a book.

Q.—You told me a moment ago this was the book you kept in pursuance of Section 17? A.—I said this was what I entered into this book.

Q.—I was not discussing that at all. I say this is the book you keep in pursuance of Section 17? A.—I don't know what the pursuance is; those are the books Mr. Forster gave me and instructed me to keep it in such and such a way, all of it—everything.

Q.—The Act sets out—do not quibble upon words.

MR. MACKAY: It is not fair.

THE CHAIRMAN: He was obeying the order of his superior and those were the books that Mr. Forster, the Chief License Inspector, gave him to keep. He has nothing to do with the question.

MR. EWING: That has nothing to do with the point at all. I do not want to drift off on to what Mr. Forster said. Here are certain records, and they are plainly applications for liquor? A.—True.

Q.—Here is a part of the law requires you to keep? A.—Well, if the law says so, I don't know.

Q.—And then it goes on and says that you shall send a copy of the record mentioned in the preceding section. Do you send a copy of that? A.—Well, it would be a copy of this. This is copied into this and I send the copy of this.

Q.—You do not copy that document into this? A.—Of the record of the sales?

Q.—You copy a portion of it? A.—Yes.

Q.—The document which you send to the Department is a copy of this? A.—Yes.

Q.—And this is the book that the Act requires you to keep? A.—Certainly. I am not—I don't know the meaning of the law.

Q.—No, but you know what a book is? A.—Well a book, according to Webster's dictionary, is a bound——

MR. MACKAY: Which Webster?

A.—Is bound sheets of paper.

MR. EWING: "Such record shall be made before the delivery of such liquor." Have you done that? A.—Entered in this book—no, not in all cases.

Q.—Then what you mean is you have not kept that provision of the Act in that regard? A.—If that is the meaning, if that is the definition of that Act—I am not a lawyer.

Q.—Well, I will read it again if there is any doubt about it. A.—Well, I don't suppose there is any doubt about the reading of it there.

Q.—Well, Mr. Webster, will you turn up this particular sale in your Sales Register? It would be on November 8th, wouldn't it? A.—No, it should be entered on November 9th.

Q.—What? A.—It should be entered on November 9th.

Q.—What date is this? A.—November 8th in the evening.

Q.—You told me it would be entered as of the date this bears?

MR. MACKAY: And he also told you it might not be entered until next morning.

MR. EWING: Where is your record of this order? A.—Of which order?

Q.—Your sales register of this order? A.—Well, that should be it.

Q.—This is it, is it—on folio 2002, isn't it? A.—I think it is. That is Mr. Thompson's writing.

Q.—Now, you did not write that at all? A.—I did not.

Q.—And you say that would be entered on the 9th? A.—On the 9th.

Q.—You are positive of that? A.—Yes, it is on November 9th.

Q.—It would be entered on the date which it bears? A.—Yes.

Q.—And it could not possibly be entered on the 8th? A.—It could not—no.

Q.—Then you had the cheque for that of two days previously. You had that on the 7th? A.—On the evening of the 7th, quite late in the afternoon.

Q.—And this order must have been—could you say from this entry that this order was not filled until the 9th? A.—I could not say. It could not be filled because he was down—this was

left in the evening of the 8th and, as I told you before, unless Mr. Munroe, who has a key of the place, came in that night and filled the order, it could not be filled until morning. I did not fill it.

Q.—If he did not come in and fill it on the 8th, what date would it be entered? A.—On the 9th. On the 9th; it could not be any other place.

Q.—You say it could not be any other place? A.—No.

Q.—Who makes these entries? A.—Mr. Thompson I believe wrote that.

Q.—Could not Mr. Thompson have made an entry if he had been there? A.—I do not think he had a key.

Q.—If he had been with Mr. Munroe he could? A.—I was not there, so I do not know.

Q.—So you do not know whether this might have been made on the 8th or the 9th? A.—This here I am satisfied was made on the 9th, because here are others, here are others. This is on the 9th; here are others, these here. (Indicating.)

Q.—So then you are certain that this entry was made on the 9th and that the order was filled on the 9th? A.—Well, I believe it was filled on the morning of the 9th.

Q.—Unless Mr. Munroe came back? A.—I did not fill it on the 8th, I know that, and I did not fill any of these orders.

Q.—It was not filled when you left the store? A.—No, it was not filled when I left the store, and it was after 5 o'clock when I left, nearly 6. I remember the time.

Q.—According to your bank book you made a deposit on the 9th of \$1,547. That is correct, is it not? A.—Yes.

Q.—And on the 10th you made a deposit of \$75 and also \$2,514.65? A.—Yes.

MR. MACKAY: That is on the 10th, is it? Sunday must come in some place.

MR. EWING: I am only speaking from the bank book.

MR. MACKAY: Are those the bank clerk's figures? A.—Yes, it is all in the same writing.

MR. EWING: And on the 11th you made a deposit of \$1,955.65? A.—Yes.

Q.—And on the 12th you made a deposit of \$786.65? A.—Yes.

Q.—I notice on the 12th in your record of deposits—of bank deposits—in making up the total deposit of the 12th, \$2,158.25. Oh, well, they do not correspond. A.—Well, they ought to correspond. There is no reason why they should not. You are in the wrong month. You are in December.

MR. MACKAY: That accounts for the Sunday, then. You were in the wrong month.

MR. EWING: Yes, it was in December and not November.

Q.—Turning to November 9th, you made a deposit on the 9th November of \$2,891.15? A.—Yes.

Q.—And apparently Mr. Archibald made a deposit on the same day. There is "Archibald" written after? A.—I made a deposit for an error in his cheque here.

Q.—\$78 something? A.—Yes.

Q.—And the 12th you made a deposit of \$645? A.—In bills.

Q.—I am not asking in bills. A.—Well, I am telling you.

Q.—Your information is very gratifying. On the 13th you made a deposit of \$2,988.82? A.—Yes.

Q.—And in your deposit slips I notice a cheque of the 12th for the Dominion Drug Company of \$463? A.—Yes.

Q.—That would be that cheque, Exhibit 4? A.—Yes.

MR. MACKAY: Is that part of the \$645?

A.—No, that \$645 was cash. I always tried to get the money in the bank, and the cheques are no good unless I endorsed them if someone had to steal them.

MR. EWING: Where is your slip? This is your slip apparently deposited on the 13th? A.—Yes.

Q.—But it was really made on November the 13th, wasn't it? A.—I do not know. Mr. Binns, the auditor, took this up. He wrote this out.

Q.—Wrote what out? A.—Wrote out this here.

Q.—Wasn't this made by you? A.—No, it was not; it was by the auditor.

Q.—It is not your writing at all? A.—No.

Q.—You do not know anything about what was going on at all then, regarding the deposits? A.—Yes, they had to be endorsed by me. I endorsed the cheques and handed them to Mr. Binns and he wrote them down there and I think, if my memory serves me right, he and I went up with the deposits.

Q.—And you made a deposit on the 13th. That would be correct, would it not? That is the date the bank book shows? A.—I suppose so. I really do not know. I fancy the deposit was for the 12th. I see the figures 13 there. What I do know is that this and this amount are the same, and this represents what is entered here.

Q.—Can you tell me why you carried this cheque from the 7th November to the 13th before depositing it? A.—I carried all these cheques from prior dates, you see.

Q.—I am asking you why you carried this cheque? You made a deposit on the 9th; you made a deposit on the 12th? A.—Yes.

Q.—You made a deposit on the 9th? A.—That would be for the sales for the 8th.

Q.—But you had this cheque in your possession from some time before? A.—It was lying with the other cheques.

Q.—But you did not deposit it? A.—No, nor none of those.

Q.—You had not all those cheques on the 7th, had you? A.—No, not all of them. I had some of them, though.

Q.—What cheques had you on the 7th? A.—I would have to look very carefully to find out.

Q.—Why did you deposit some of your cheques and not the others? A.—The cheques were all in the till, and we took them out indiscriminately as they came and Mr. Binns, as I told you before, entered them down in his book here and I endorsed them and entered them, for no matter whether they were dated on the 7th, 6th, 8th, 9th or whatever it was—it could not be on the 10th because that was Sunday—and we took them indiscriminately.

Q.—And——? A.—And Mr. Binns entered them up in here and Mr. Binns and I took them up to the bank.

Q.—Well, why didn't you enter this cheque up on the 9th? A.—Because we did not make a deposit on the 9th.

Q.—What is that? A.—That is a deposit for cheques that came in on the 8th and prior.

Q.—You made a deposit on the 9th? A.—The money was brought up in the morning early. That was for sales prior to the 9th.

Q.—I am asking if you did not make a deposit on the 9th? A.—Yes, I certainly did. But I could not have a cheque that was dated the 9th and deposit it early in the morning.

Q.—This is a cheque that is dated the 7th? A.—Yes.

Q.—Why didn't you deposit that on the 9th? A.—Because I did not happen to come to it, you see.

Q.—Why didn't you happen to come to it? A.—Well, it was perhaps lying down on the bottom of the drawer.

Q.—You did not on the 9th go to the bottom of the drawer? A.—No, because there was a number of cheques.

Q.—How did you happen to stop before you struck the bottom of the drawer? A.—Well, we took the first thing first.

DR. STATE: Is it your habit to deposit a cheque in payment for an order before that order has been delivered or filled? A.—No, no, it is not.

MR. EWING: Was that the reason? A.—No, I am not saying that is the reason. It very likely would be the reason if I came to that cheque, if Mr. Binns and I came to that cheque.

Q.—What time did you make your deposit on the 9th? A.—Quite early in the morning.

Q.—What time? A.—Between half-past nine and a quarter-past ten. I know it was very early in the morning.

Q.—It was not before the bank opened, I take it? A.—Oh, no, the bank was opened.

Q.—Was the order filled at that time? A.—I think it was. I do not know. I could not tell you that.

Q.—You think your reason for not putting this cheque in was because it was in the bottom of the drawer and you did not reach it? A.—Well, I know of no other reason. If the order had not been filled and I noticed it, I certainly would not have deposited it.

Q.—You do not remember whether you did notice it or not, do you? A.—I do not.

Q.—Were there many cheques in the bottom of the drawer that you could not reach that day? A.—Quite a number.

Q.—These cheques may have come in at any time prior to the deposit? A.—Yes.

Q.—And may have been in for some considerable time before your previous deposit? A.—They might, yes, certainly.

Q.—What system did you follow in putting these cheques in? A.—Just the system I tell you.

Q.—The system you told me is you did not go to the bottom of the drawer? A.—Not always, no.

Q.—When do you not go to the bottom of the drawer? A.—Well, I could not tell you that.

Q.—What moves you not to go to the bottom of the drawer? A.—Well, the cheques are thrown in like that and when we go to make a deposit we take so many cheques to cover those sales; it did not make any difference whose it is.

Q.—You just take enough to cover the sales shown by your records? A.—Yes.

Q.—And the rest you let stay there? A.—Yes.

Q.—Until you need them to cover up another sale; is that right? A.—Well, I think that is it.

Q.—Quite so. Take the case of a sale to the same man and a cheque given on the 8th. Where is the cheque? There was a deposit made on the 9th of the Dominion Drug Company, \$234.50. That was a sale made on November 8th? A.—Yes.

Q.—You deposited that on November 9th? A.—Yes.

Q.—Here was a sale also made on the 8th and the cheque was given you on the 7th, and that cheque did not go in? A.—No.

Q.—Why? A.—It was further down the drawer.

MR. WEIR: Why didn't you start at the bottom of the drawer?

MR. EWING: When did you reach the bottom of the drawer? Did you ever get to the bottom of the drawer? A.—I think the day Mr. Binns and I were there we deposited the whole of the cheques.

Q.—Don't you see, if you continually keep taking off the top there will be some cheques at the bottom will never be reached? A.—That is true, but they were reached on this occasion.

Q.—When the auditor came in? A.—When the auditor asked that they all be deposited in a special account—an account kept here, you will see.

Q.—Where did you keep your cheques? A.—In a till.

Q.—And where is the till? A.—The till is in the counter in a drawer.

Q.—Have you a safe? A.—Yes, I have a little old one of my own.

Q.—Do you keep your cash in it? A.—Yes.

Q.—And the cheques? A.—No, not the cheques.

Q.—You keep your cheques in the till, do you? A.—Yes, and lately I have been putting them in the safe. It is an old safe; just merely a fire safe. It is not a burglar-proof safe, one of those cheap Ontario safes.

Q.—And the auditor came in on the 7th, did he? A.—I think it was the 6th, the evening of the 6th. I would not be really positive, but I think it is the 6th.

Q.—And that resulted in a sort of cleaning up of the cheques, did it? A.—Well, they were taking stock of what I had in my department.

Q.—I am speaking of the cheque business. He made out a deposit and deposited everything on that day, did he? A.—Yes. No, no, not the cheques. It was later, on the 9th.

Q.—I mean when he made this deposit? A.—Yes, when he made that deposit. I was present.

Q.—Did he find any cheques standing there for some considerable time? A.—I do not know.

Q.—You do not know that? A.—No.

Q.—Well, you would know if there were any cheques knocking around there, wouldn't you? A.—Well, the cheques were taken out and I simply endorsed them and handed them to him to enter up and he entered them up there whatever cheques there were. He told me he came to take stock of what I had in money, in stamps and stock.

Q.—Your evidence is, in order that there may be no mistake about it—that no one spoke to you about getting goods on credit, about Mr. Boudreau or anyone for whom he was acting, getting any goods on credit? A.—No. And Mr. Boudreau never asked for credit from me of any kind.

Q.—Nor it was not brought to your attention that he ever asked for credit? A.—No.

Q.—You understand, when I am speaking of Mr. Boudreau I include in that either Mr. Rowland or the Dominion Drug Company? A.—Well, of course I do not know anything about the Dominion Drug Company. I do not know what relation they stand in. The only relation I do, the only business I have is with druggists. They are the only ones I recognize.

Q.—We are clear on that? A.—Yes.

Q.—Neither Mr. Boudreau or Mr. Rowland ever spoke to you about credit and no one on their behalf, or otherwise ever spoke to you about credit for them? A.—No.

MR. MACKAY: You mentioned Mr. Thompson. Who was Mr. Thompson? A.—Mr. Thompson is a teacher.

Q.—In reference to your office—that is what I want to know. A.—He was keeping the money and keeping the records.

Q.—How long had he been there before, we will say, the 8th November? A.—May I look at the cash book?

Q.—Evidently the 7th—November 7th he was there? November 8th he was there and November 9th he was there. And that is all? A.—Yes.

Q.—You are judging from his entries in the books? A.—Yes.

Q.—And who is Mr. Munroe with reference to the liquor store? A.—He is the man who is the shipper and packing up the goods.

Q.—Is he there still? A.—Yes.

Q.—From what time has he been in the vendor's employ? A.—He has been there for seven months.

Q.—Some fine distinction has been drawn here between books and records. What is your position in the vendor's office? Are you the vendor? A.—I am.

Q.—Are you under instructions from anybody? A.—I was under instructions from Mr. Forster.

Q.—And you gave us a list of the books and records you kept? A.—Yes.

Q.—Under whose instructions did you keep them? A.—Mr. Forster's.

Q.—Where is that Exhibit 2? (Produced).

Q.—You have spoken of Exhibit 1? A.—Yes.

Q.—Just look at Exhibit 2. Is any part of the writing on Exhibit 2 your writing? A.—This writing here is and those figures are.

Q.—I thought so, yesterday. That is the liquor, five gallons alcohol, and so on, describing the quantities and quality of the liquor or brand of liquor. That is your writing? A.—Yes.

Q.—And the figures opposite beginning with \$47.50, one in pen and ink and the rest in pencil with a total of \$463? Are those your figures? A.—Yes, they are.

Q.—That was my opinion when I saw it. Then do you remember that document, now you recognized it, I mean apart from a similar document? A.—I remember I had written this in and my memory is that Mr. Boudreau came down the evening of the 8th with that.

Q.—With this Exhibit 2? A.—With this signature here and asked me what goods he could get and I wrote in here what he could get and made it up, \$463 and he gave me a cheque that same evening for—.

Q.—He gave you a cheque that evening? A.—Yes, the first time he came for it.

Q.—Is this the cheque? A.—Yes, that is the cheque.

Q.—Exhibit 4 is the cheque? A.—Well, that was not on "Boudreau Investigation."

Q.—The Exhibit entry was not on it when you got it? You are a pretty good witness. If we were all as careful as you we would not make mistakes. A.—Well, the cheque is the identical cheque and that is my endorsation there.

Q.—And is the amount there exactly the same as this document, Exhibit 2? A.—Yes, \$63, yes.

Q.—Let us have no misunderstanding. This document Exhibit 2 is the document that, what I would call late in the afternoon, that Mr. Boudreau brought down? A.—Yes.

Q.—Was Rowland's signature on it? A.—It was at the time.

Q.—And were you short of liquor then? A.—Yes.

Q.—And were you able to fill orders as they came in in full then, or were you doing it, as a matter of fact? A.—We could not do it; we were giving what we could.

Q.—You could not give what you had not? A.—No—making it go round.

Q.—And these figures are yours? A.—These are mine.

Q.—And you took this cheque on that day from Mr. Boudreau? A.—Yes, I did.

Q.—That is your endorsation on the back? A.—It is.

Q.—And that you say would be—why do you say it is the 7th? A.—Because he was down the evening of the 7th.

Q.—The cheque is dated the 7th? A.—Yes.

Q.—You will observe—was that filled in, what we call the jurat, as if it were to be sworn—was that filled in when you saw it? A.—I could not say that; I do not know.

Q.—I see it is filled in the 7th? A.—Yes, the 7th.

Q.—The 7th November, but the top date is November 8th? A.—Yes, I put that on so that if he sent down this application here, completed as it was—

Q.—What do you mean by completed? A.—This here.

Q.—It would have to be sworn to? A.—Yes; I would not take it from Mr. Boudreau unless it was sworn to.

Q.—Quite so. A.—And this cheque was thrown in the drawer. He took this home to have it sworn to, and what he done after, if this is his writing, he may have done this—I don't know.

Q.—You are speaking of Exhibit 1? A.—Yes.

Q.—Then you are speaking now as an active memory of what occurred with reference to Exhibit 2? A.—Yes.

Q.—But coming to Exhibit 1, which is the sworn one, can you speak as an active memory to that at all? What is the next you know about it? A.—What I know about it is this, that this came down to the office by somebody. I can't say who brought it.

Q.—That is Exhibit 1? A.—Yes, that is Exhibit 1. Mr. Boudreau, if I remember right, and I think I do, brought this down the evening of the 8th and it was quite late in the evening.

Q.—That is Exhibit 1, the sworn document? A.—That is the sworn document.

MR. EWING: The evening of the 8th, that is? A.—The evening of the 8th, yes, I see the word "Seven" is here on the jurat. Of course, I have nothing to do with that. I did not know that.

MR. MACKAY: Why did you require Rowland's signature on this? A.—Because I was aware that Mr. Boudreau was not entered on the list as a druggist and it would be folly in me to be filling up blanks for people to carry around and I demanded of Mr. Boudreau when he came here.

Q.—Was that before this? A.—Yes, before this. I demanded of Mr. Boudreau that he brings Mr. Rowland's signature on the paper for me to fill out. Because like in that case—

Q.—Exactly. A.—He could have brought that down the next morning with his signature on as a commissioner; anybody could bring that down and to be safe in every deal I have adopted that plan, that I won't begin and fill out anything or tell them what they can get without that is filled in.

Q.—And then you did your figuring after, I see.

MR. EWING: That is, you insisted on a man bringing a signed document to you in blank? A.—Yes.

Q.—And you filled in the amount? A.—Yes.

Q.—And then you let it go out to be sworn? A.—Yes.

Q.—In each case? A.—Yes.

Q.—And you did that so that there could not be anyone carrying around a document in your handwriting? A.—True.

Q.—In this case someone apparently did carry around a document in your handwriting, because they turn in another one? A.—Not without that signature.

Q.—But it has this signature, and also this one. (Indicating). Your purpose was defeated in this case? A.—Where, now?

Q.—Where did this come from? A.—From Mr. Rowland.

Q.—Where did it come from into this Committee? A.—I do not know.

Q.—It did not come from your record? A.—No, it did not come from me.

Q.—Well, Mr. Rowland was carrying this around. A.—Well, as I told you before, I would not fill an order unless I had Mr. Rowland's name or some other druggist's name to it.

Q.—Unless someone signed it in blank? A.—Yes.

Q.—And your purpose was that nobody should have a document the body of which was filled in by you? A.—True, true.

Q.—And that is a case where someone had a document, the body of which was filled in by you and turned it over to someone else? A.—Well, all I can say is that was never filled.

MR. FORSTER: I think the evidence that has been given here attaches this matter to the 8th very clearly. That is my impression. I do not want to lead or anything. I want to ask Mr. Webster if, on the evening of the 8th, towards closing time, there was any disturbance in his office in the front part of the store or around the counter in that part—any disturbance of any kind. A.—Disturbance where, Mr. Forster?

Q.—In your office at the front—in your part? A.—I recollect of no disturbance.

Q.—Was there any unpleasantness or any words that would lead you to think there was any unpleasantness there with anybody? A.—Not that I remember of.

Q.—Did Mr. Downey have any unpleasantness with any customer or anybody in that room? A.—I did not hear it; I don't know.

Q.—If you were working at your desk and Mr. Downey was at the counter? A.—What end of the counter?

Q.—Well, we will say the extreme end. He would not be thirty feet from you? A.—No.

Q.—He would probably not be twenty feet from you? A.—No.

Q.—And if there had been any unpleasantness you would have heard it? A.—Well, Mr. Forster, I cannot say that. I could not say that I could hear it. My hearing is not as good as it was fifty years ago.

Q.—What time did you close the store that evening? There is a Yale lock on it? A.—Yes, one I had put on.

Q.—When the door is pulled tight and the Yale lock is set, of course it locks itself? A.—It should.

Q.—When did you close the door that evening? A.—Some time between five and six that evening, because I had to go home and eat.

Q.—Did you close the door that evening? Did you close the door that evening? A.—Well, I pulled the door to.

Q.—You may have done that. Was Mr. Archibald in the store at that time, at that particular time? A.—At that particular time? That is the 8th. I could tell if we had a sales sheet here. He might have been in. He often came in talking to you.

Q.—And talking to you, too? A.—Oh, not very much to me. I did not see any application forms left in there that night.

Q.—I did not ask you that question. I asked you was Mr. Archibald in there at closing time? A.—He might have been.

Q.—Under what conditions did he get in at closing time? A.—I do not know, perhaps in the back door. He often used to come in the back door. I would see him coming in there, going in to see you.

Q.—At that particular time I was not an official in the service. A.—I don't know whether you were or not.

MR. EWING: Do you know Mr. R. B. Douglas, the present Chief Inspector? A.—Yes.

Q.—Did Mr. Douglas speak to you on the morning of the 9th about letting liquor out on credit? A.—My recollection is that he asked me if I had given Boudreau any liquor on credit, and I said "No."

Q.—When did he ask you that? A.—Oh, it would be about—you mean the time of the day?

Q.—No, it was on the 9th? A.—I think it was on the 9th; the morning of the 9th I think it was. I cannot recall the exact date; it was anyway after he came there.

Q.—You said you did not give Boudreau any liquor? A.—Yes.

Q.—And of course you meant by that you did not give it to Mr. Rowland or the Dominion Drug Company? A.—Yes.

Q.—You included all that in your answer? A.—Yes, I included.

Q.—Did he speak to you specifically about giving liquor without getting the money to Mr. Boudreau or to—— A.—He said in words something like this, he said: "Did you give Boudreau any liquor without pay?" and I said "No."

Q.—And that was true? A.—Certainly it was true.

Q.—And you did not give any to the Dominion Drug Company nor to Mr. Rowlands? A.—No, no, I did not give any to anybody except on during the time of the 'flu on special lists or orders from my superiors.

MR. MACKAY: Can you say how long it would take to make that order up? I am only asking a general question. If you cannot say, say so. A.—I could not say; I could not say how long.

Q.—You could not say how long it would take? A.—I could not say.

MR. FORSTER: I would like to recall Mr. Downey.

MR. MACKAY: Mr. Downey has given evidence twice. Can't we get on with someone else? I do not want to interfere. He may be called again.

MR. FORSTER: It is a very important point and it won't take three minutes with Mr. Downey, I think.

MR. MACKAY: Oh, well, call him, then.

MR. DOWNEY recalled:

THE CHAIRMAN: You are still under oath, Mr Downey. A.—All right, Mr. Chairman.

MR. FORSTER: It has come up in the evidence that you were here four days, the 6th, 7th, 8th and 9th? A.—Yes.

Q.—Can you fix these dates by some occurrence on the 6th?

MR. MACKAY: Pardon me. I am raising an objection. We have done that twice already. I do not think there is any doubt about the occasion. I do not think there is any doubt about the date. This man has fixed it two or three times.

MR. FORSTER: There is no doubt about the 8th?

THE CHAIRMAN: I think he gave his evidence on that yesterday.

MR. FORSTER: On the evening of the 8th at closing time or close to closing time or around there, did Mr. Archibald come to the store for an order of liquor? A.—He did.

Q.—About what time? A.—Well, Mr. Archibald claimed that I closed the door before four o'clock and I claimed I did not. It was four o'clock sharp when I closed it.

Q.—Was he admitted after that hour? Was he admitted into the store after the door was locked? A.—Well, I locked the door and in the transferring of Mr. Boudreau's order out of the Vendor's store Mr. Archibald got in the open door.

Q.—While you were working back and forwards? A.—Yes.

Q.—Now, I want to make that point clear. Did you lock the door that night? A.—I did.

Q.—When Mr. Archibald got in were there any words between you and him about the order he wanted to be filled? A.—There were.

Q.—Could you repeat them? A.—Well, I don't know.

Q.—In effect? A.—I claimed — the situation was rather tense; we were behind with a large number of country orders and we were anxious to get the door closed and get to work, and we had closed the door and when he got in I said: "Now, we can't"—I did not know who he was and I did not know after I had kept him away. I said: "We can't do this tonight; it is after hours; give us a show," and, well, he said he had a big stock of prescriptions and things waiting from out-of-town people and he had to get the stuff. Well, I very politely told Mr. Archibald to sit down and as soon as we were through with this pile of orders, and I motioned to him the big bunch on hand, that we would serve him, and we went ahead with the business and let Mr. Archibald sit there.

Q.—Did Mr. Archibald get his goods that night? A.—He did not.

Q.—When did he get them? A.—Next morning.

Q.—Was it a large order? A.—A fairly large order.

Q.—Would it run into the hundreds of dollars? A.—It would.

Q.—Would you recognize in any way this entry in the daily returns sheet for November 9th of different classes of liquor, \$56, \$84, \$24, \$25.50, \$25.20, \$27, \$27.50 and \$5.00, as being part of the order that was filled on the 9th? A.—I would recognize—the only part I would recognize would be the ten-year-old and twenty-year-old Sandy Macdonald Scotch.

Q.—Do you recognize them sufficiently to know that it is an order from Mr. Archibald? A.—Oh, I knew; it was pointed out to me that night after the trouble who Mr. Archibald was.

Q.—And you assisted in filling it? A.—I took Mr. Archibald's order, yes.

Q.—And you did it in the morning of the 9th? A.—Could I see the order?

Q.—Well, I do not want to take up that time. A.—Well, I would feel sure if I saw that order. I might say to the Committee frankly that I met Mr. Webster outside here and he absolutely said I was mistaken and I felt that because my veracity was at stake and I went to the trouble to try and figure where I was and what occurred while I was in Edmonton on these four days. And I feel pretty certain about some of these matters that perhaps were vague to me at first, and I went down to Mr. Archibald's store this morning and saw the certified cheque of November 9th for \$404, and it was accepted of course.

MR. MACKAY: What order was that? A.—Mr. Archibald's cheque. Because I insisted on making Mr. Archibald go up at that hour to the bank and have his cheque marked before I would give him the liquor.

MR. FORSTER: During the time of the discussion or whatever it was regarding his admittance to the premises on the evening of November the 8th, was it at this time that the order that we are having in discussion before this Committee, that that was being carried out of the Vendor's premises and loaded on to the rig of a common carrier to take it to the drug store? A.—Yes.

Q.—That was going on? A.—Yes.

Q.—And it was because the door was being opened from time to time to carry out these packages that Mr. Archibald got in? A.—Yes.

MR. MACKAY: When Mr. Archibald came you say he was there on the 8th? A.—The evening of the 8th.

Q.—And when did you fill the order? A.—I filled his order on the 9th.

Q.—When did you make out the application—the requisition? A.—Well, I believe it was made out on the 9th. I in all probability assisted him to tell him pretty near what we had in stock.

Q.—And was there anything done towards filling the order on the 8th? A.—Nothing at all.

Q.—Was he back on the 9th? A.—He was back on the 9th—yes.

Q.—What time? A.—I believe he had to hurry to the bank to get his cheque marked before noon.

Q.—The 9th was Saturday? A.—Yes.

Q.—That would be 12.30 or 12, at all events before the bank closed? A.—The cheque is marked on the 9th.

Q.—He wanted his liquor on the 8th and didn't get it. Is that it? A.—Yes.

Q.—I suppose there was no row took place between you and him? A.—Oh, no, it was a little unpleasantness, that is all.

Q.—I mean as to the loudness of the talk, or anything of that kind? Was it loud? A.—Well, I think several noticed the thing, thought it was a kind of a joke.

Q.—I don't mean that; I mean loud? A.—Well, it was about as loud as we are talking now.

Q.—But so far as the hearing was concerned it would be an ordinary conversation? A.—Yes.

Q.—Was Boudreau there then? A.—I would not say he was there then.

Q.—Was he there after that? A.—I never saw him after that.

Q.—You told us yesterday that Boudreau was there when the goods were being carried out and you told Mr. Forster today that Archibald came in through the carrying out of the goods? A.—He did.

Q.—Now, you do not know whether Boudreau was there then at all? A.—Well, Boudreau was there because in filling the order I passed it through this door between the liquor room, Mr. MacKay, and the corridor.

Q.—But you told Mr. Forster a minute ago that it was the carrying out of the liquor that let Archibald in? A.—Through the door, yes.

Q.—And you told us yesterday that Boudreau was there when the liquor was being taken out? A.—Yes.

Q.—And now you tell us Boudreau was not there when Archibald came in? A.—Well, I would not say he was there when Archibald came in—no.

Q.—Well, I do not understand, that is all. I got the impression clearly that the liquor was handed out, Boudreau being there, and I think you stated clearly he may possibly have handled part of the goods. A.—Yes, that is when I was putting it out of that door; that is what I had reference to.

Q.—And you said the conveyance came? A.—Yes.

Q.—And didn't you tell us yesterday that Boudreau was there when the liquor was taken away? A.—Yes.

Q.—And now you tell us that Boudreau was not there when Archibald came in? A.—I never saw him.

Q.—You did not see him? A.—No, I did not see him.

Q.—And you tell us also that it was the taking out of the liquor, or you told Mr. Forster it was the opening of the door and the taking out of the liquor that let Archibald in? A.—Yes.

Q.—How do you reconcile those statements? A.—Well, I do not reconcile them in any way, except if you could put yourself in that position. I was handing the goods out in the first place where I recollect Mr. Boudreau himself was standing, in the corridor. That is the outside of the counter.

Q.—He was outside the counter? A.—Yes. the 10-year-old and 20-year-old I handed out to Mr. Boudreau was piled on the inside of a platform we had dragged in from the back part against the wall, the Scotch was, at different times, and we piled it out there what he had—the several boxes. I might have handed some of the bottled goods in boxes over the counter to him. That is my recollection and the car came, and my recollection is that Mr. Boudreau was around there. I never saw him particularly when Mr. Archibald was there. The whole thing—

Q.—But Mr. Archibald apparently came in because of the fact that the door was open to take the liquor out? A.—Yes.

Q.—Well, then, Mr. Archibald must have been in during a delivery, I should say, of part of the liquor? A.—Well, I think he was.

Q.—That is what I understand you to say today? A.—I think he was.

Q.—And I understand you to say yesterday that Boudreau was there when the liquor was taken out? A.—When the man came and they started the thing. I remember Mr. Boudreau being there at the end of the counter in the corridor when some of it—I handed out in piles and some of it when Boudreau's man, whoever it was, took it away.

Q.—Did you lock the door before Archibald came in? A.—Yes.

Q.—I do not understand it yet. You locked the door before Archibald came in? A.—Yes.

Q.—And then you unlocked it to let him in or let goods out? A.—Well, somebody, to let goods out.

Q.—You did not unlock it? A.—No.

Q.—But you had it locked before Archibald came in? A.—Yes.

Q.—It may be that you are mixing things? Well, I will not say that—they may have followed one another? A.—Well, it was at the closing hour.

Q.—You did not lock the door until you thought it was closing hour? A.—Well, there was a difference of opinion between Mr. Archibald and myself as to the closing hour.

Q.—You have talked it over with him since? A.—I discussed it this morning.

Q.—And you locked the door? A.—Yes.

Q.—And the door was unlocked to let Archibald in? A.—Well, in the conveyance of the liquor through the door—yes.

Q.—Was the door closed several times during the taking of the liquor out? A.—Yes.

Q.—It was opened and locked several times? A.—I do not know whether it was locked.

Q.—Who was doing this? A.—Well, the men who would be conveying the liquor out.

Q.—Do you know who it was? A.—Well, I do not.

Q.—I don't want you to infer—you do not know who unlocked the door and let Archibald in? A.—No; it would be in the conveying of the liquor.

Q.—You do not know who it was? A.—No; it may have been Boudreau's chauffeur, for all I know.

Q.—What time of the day was that? A.—That was about four o'clock.

Q.—Who was in charge? Did you see Mr. Douglas there on the 7th, we will say? A.—A number of times we went together.

Q.—You knew that Mr. Douglas was taking the liquor store over—the vendorship or the inspectorship? A.—Yes.

Q.—And you saw Mr. Douglas after you say you had this conversation with Boudreau? A.—Yes.

Q.—Did you tell Mr. Douglas anything about it? A.—We talked about it.

Q.—You talked to Douglas about it? A.—Yes.

Q.—Did you tell the Deputy Attorney General? A.—Well, now, I am not certain. I am not certain whether I did or not. We may have talked about the whole thing in his office.

Q.—This was after the night of the 8th. Did you see him after that before you went back to Calgary? You could not have talked in advance of it? A.—I never went specially.

Q.—I did not ask you that. Did you see him on Saturday? If you did not you could not have talked to him? A.—I do not think I did.

Q.—Well, then, you would not have talked to him at all about it, would you? I am only helping you there. I can quite understand why you cannot recollect the whole details. Were you filling other orders pretty late that afternoon of the 8th? A.—Yes.

Q.—What other order did you fill the afternoon of the 8th? A.—I could not tell you; I could not tell you.

Q.—You cannot name any. I can't tell by the applications. A.—The only applications I remember particularly are those I insisted on marked cheques on the 9th and Mr. Boudreau's and one of the dentists whom I personally knew and a druggist whom I personally knew. Those are the only applications I have any recollection of personally filling while I was in the city. I filled a large number who were strangers to me.

Q.—And you cannot pick out the others? A.—No, I can't.

Q.—Well, Boudreau was a stranger to you, too? A.—Yes.

Q.—And you cannot select anybody else in your recollection that you remember that afternoon? A.—The only way I knew Boudreau was he was pointed out to me.

Q.—I understand that. But that is not my question; you are answering another question. Can you name someone else besides those you have mentioned that you filled orders for that afternoon? A.—I do not know except it might have been, that was on the Saturday—no, I could not. No, I would not place another man particularly.

Q.—Did you do the actual packing up of Archibald's order next day or were you there when it was done? That is on the 9th? A.—Yes, I assisted in Mr. Archibald's order.

Q.—How long did it take to make that order up? A.—Where is it?

Q.—You cannot speak as a matter of recollection, of course? A.—Oh, no. I would judge maybe ten minutes.

Q.—Why wasn't Archibald's filled that afternoon while he was in there? A.—Well, it was the time of the trouble and the 'flu and we had a large number of country orders.

Q.—You went on filling other orders, is that it, and stood him over? A.—Yes.

Q.—How long did you work that night, then? A.—Well, I don't know—we worked for a while.

Q.—When did you lock the office up? A.—We locked the office, outside for the city, for four o'clock.

Q.—When did you quit working? A.—I do not know. We might have worked until close to six o'clock.

Q.—As a matter of recollection, can you tell me when you quit working? A.—I think close to six o'clock.

Q.—Did you go back that evening? A.—No.

Q.—Was anybody left in charge that evening to fill evening orders? A.—I understood some man came back.

Q.—Was Mr. Webster there when you left? A.—I do not remember.

Q.—Was Mr. Webster there when Mr. Archibald came in? A.—I would not say that he was.

Q.—Or that he was not? A.—I do not remember.

Q.—You do not know either way? A.—I rather think he was there; there were a number there.

Q.—I am speaking of Mr. Webster now? A.—Well, I would not swear Mr. Webster was in that room when that took place.

Q.—Was he in the shop any place when Archibald came in? A.—My recollection was he was there, but I would not swear he was or was not. He might have been in the building at that time, but I can't remember.

Q.—You have not a recollection of it? A.—No.

MR. FORSTER: I want to ask if the work that was carried over was work on those country orders incidental to the 'flu? That would be the work that stood over Mr. Archibald's order? A.—Oh, yes.

Q.—It was not local, city orders? A.—No, there was a cry from outside. We felt we should, in justice to the country, we should do more for them than we should do for the city.

MR. WEBSTER, recalled:

MR. DAVIDSON: What time did Mr. Douglas talk to you about the Boudreau incident on the 9th? A.—It was early in the afternoon. I could not tell you exactly what hour it was.

Q.—Did he say complaint had been made or was it just one incident? Did he say there was a general complaint? A.—Oh, no, he did not mention anything of that kind.

Q.—You said that he told you? A.—He asked me if Boudreau had been buying—getting anything on credit.

Q.—Just a general thing? A.—Yes.

Q.—It was not one particular incident? A.—Oh, no.

Q.—And you did not tell him that order had not been filled? A.—No.

MR. MACKAY: What Mr. Davidson clearly means—did Mr. Douglas make any special reference to this particular order? A.—Oh, no.

Q.—That is the point? A.—Oh, no.

MR. F. G. FORSTER, called and sworn, testified as follows:

MR. EWING: You occupied the position of Chief License Inspector, didn't you, for the province? A.—Yes, under the old Liquor Act, Chief License Inspector.

Q.—And then what was your position under the new Act? A.—Chief Inspector.

Q.—And you continued that up until about when? A.—Up until I think the 7th day of November.

Q.—You knew Mr. Boudreau? A.—Yes, I knew him.

Q.—He had been running a business here in Edmonton called the Dominion Drug Company? A.—Yes, I understand so.

Q.—And you knew that sales were being made to him or to his company from time to time? A.—Yes.

Q.—Quite frequently, in fact? A.—Yes.

Q.—And do you remember an occasion early in November upon which there was brought to your attention some irregularity in connection with an alleged sale to him? A.—Yes.

Q.—Have you been able to fix the date upon which that happened? A.—Yes.

Q.—What was the date? A.—Friday, the 8th November.

Q.—That is what you say in your letter? A.—Yes.

Q.—How did it come to your attention? A.—It was brought to my attention by Mr. Downey.

Q.—What did Mr. Downey say to you? A.—He told me that he had refused to give Mr. Boudreau the liquor without payment, or words to that effect.

Q.—And what else did he say? A.—And that the transaction had been turned over to Mr. Webster and Mr. Webster had completed it—that he had refused to do it and Mr. Webster had done it.

Q.—That is, that Mr. Webster had given him the liquor on credit after Mr. Downey had refused to give him the liquor on credit? A.—Yes, that was his statement to me.

Q.—And what did you say? A.—We talked the matter over in a general way at the time.

Q.—But what did you say generally? I suppose you cannot recall the words you used? A.—Well, I told him I thought that probably that sort of proceeding was going on.

Q.—That is what you said to Mr. Downey. And what did Mr. Downey say? A.—We talked the matter over, and the transaction, in a general way. We shortly afterwards left the building in company with others.

Q.—Was there anyone else present when you talked it over? A.—I would not be certain about that—myself and the two auditors and Mr. Douglas and my son had been working during the afternoon in the back room checking over the stock. I think Mr. Douglas and myself were going around as the goods were arranged in the room and we would call out, so many cases of this class of stuff, so many bottles and so on, whatever was there and either one or other of the auditors would write it down and repeat it aloud. And that had been going on more or less during the afternoon.

Q.—And it was into this room that Mr. Downey came, was it? A.—Yes.

Q.—Well, is it your recollection that these others whom you mentioned were present? A.—Yes, we were working there pretty much all afternoon. I would not say that all were present. The business had just been taken over and Mr. Douglas was absolutely new to it and he may have been called—he may have been in or out. But I think the others were there.

Q.—And can you fix the time approximately closely? A.—Well, it was towards the evening. It was towards the time we were leaving because practically immediately afterwards Mr. Downey and my son, and I think the two auditors, we all left together by the front door, went into my car, which was outside and went, and I know I drove my son and Mr. Downey to my home. Whether we drove the two auditors and stopped on the opposite side to the Corona Hotel and they got out, I would not say. But I would say that some of the few days we were on that work I did do that. I drove the auditors home.

Q.—Did you see Mr. Archibald there? A.—No, I did not see him.

Q.—Was the door locked when you came out of the place? A.—I could not say that. We came out in a bunch; there were four or five of us together.

Q.—You went out the front door entrance, did you? A.—Yes.

Q.—You could not say whether the door was locked when you came along or not? A.—No, I could not say that.

Q.—Was Mr. Webster there, do you know? A.—No, I could not say that either. Mr. Webster was a very busy man in those days and the chances are he would be there.

Q.—Did you see any boxes of liquor or anything in the corridor as you came along? A.—No, there was nothing there.

Q.—You say that Mr. Downey came and told you that Mr. Webster had let this liquor out on credit, which was irregular? A.—Yes. I would not say he came into the room and told me that. He may have come and asked me to step out in the hallway. If you have the plan there I will show you. (Referring to Exhibit 5.) I was working in Room "A" and this is the door here. Mr. Downey had been working in the vendor's office and he apparently came back this way to me in this room, and whether the conversation took place there in "A" or whether he asked me to come into the hallway I do not know. But he told me at that time. The thing is absolutely fixed in my mind. There is no question about it at all.

Q.—What I was coming to was this—why didn't you report that to Mr. —why didn't you take that up with Mr. Webster then? A.—Well, at that particular time I was not in authority. The day before, I think, if you will get the production of the orders in council covering my resignation and Mr. Douglas' appointment as successor, I think you will find it out—the 7th. That was my recollection, anyway. I will produce the letter here to me from Mr. Browning asking me to turn the key over to my successor. I did not see the order in council, but that could be produced.

Q.—Did you turn the keys over to Mr. Douglas at that time? A.—Part of the keys at that time, on the receipt of Mr. Browning's letter or as soon afterwards as Mr. Douglas and I happened to be together—I would not say whether it was an hour or what.

Q.—And what is this other part of the keys? A.—Well, of each of the liquor rooms here and each of the liquor rooms in Calgary. Here there were three good substantial padlocks and there was a duplicate key to each padlock. In Calgary it was the same thing. In the Calgary store I also carried one key to Mr. Bain's store. Here I did not carry any keys whatsoever to the vendor's portion of the premises, and there was a Yale lock on the back door and there was a good substantial padlock on each of the three liquor room doors which I controlled. Those doors, "A," "B" and "C," I carried the keys to the rooms "A," "B" and "C" and to the back door "G," and a similar arrangement for Calgary. Now, when I got these padlocks I got duplicate keys for them; and these duplicate keys I kept in a locked box in my office down here. There is one of these iron filing cabinets, very substantial, and I had in that a small locked box and the duplicate keys remained in there.

Q.—The question I put to you was this—why didn't you, when Mr. Downey called it to your attention—why didn't you report it to Mr. Webster? A.—I reported it to Mr. Douglas.

Q.—Was Mr. Douglas there at the time? A.—No; I rather think that was reported in the morning, of the next day. That is what I tried to get fixed yesterday in Mr. Douglas' statement. I must have reported to him between the evening of the 8th and the morning of the 9th, as he said yesterday he went and spoke to Mr. Webster about it.

Q.—Did you report it to anybody else? A.—Yes.

Q.—To whom? A.—I reported the matter to Mr. Burley, the Chief Auditor.

Q.—When did you do that? A.—I would not be quite positive. It would be shortly afterwards. Between the 8th of November and the 24th day of December I was working practically all the time except one week in the first part of December, when I went to Medicine Hat with the auditors transferring these stocks, assisting the auditors and assisting Mr. Douglas and his clerk to get started.

MR. MACKAY: Between what dates? A.—Between the 8th November and the 24th December.

MR. EWING: You continued in the employ of the Department, did you? A.—Yes. It was absolutely necessary to do that. You could not just cut a thing off like that in a business of that kind.

Q.—Were you paid for that time? A.—Yes, I was paid for my services. I have the cheque in my pocket today, because it came to me in the south and I did not want to get it cashed under the discount there.

Q.—And what did Mr. Burley say when you discussed it with him? A.—Mr. Burley told me he already knew of it, somebody else had discussed it with him.

Q.—Did he say who had discussed it with him? A.—No, he did not.

Q.—That is all he said, was it? A.—Yes.

Q.—And you cannot fix that time? A.—Oh, no. I was going to say that Mr. Burley and I met several times during this audit. It was very natural——

Q.—Was it during the course of the audit that you reported it to him? A.—Yes.

Q.—Did you talk it over with anybody else? A.—Yes, I told the occurrence to Mr. Mitchell.

Q.—That is Mr. Mitchell, the Provincial Treasurer? A.—Yes. I think Mr. Boyle was out of town away east and Mr. Mitchell, I think, was acting. I would not make that statement, but he generally did act when the attorney general was away. I really do not know.

Q.—You went and discussed the matter with Mr. Mitchell, the Provincial Treasurer? A.—Yes, I did.

Q.—What did he say to you? A.—I do not know that he expressed any particular opinion about it.

Q.—You just reported it to him? A.—I reported it to him in conversation.

Q.—Did you see Mr. Downey again the evening of the 8th? A.—Yes.

Q.—Where? A.—He came to my house. He came with me, and stopped there for dinner, and during a portion of the evening.

Q.—And did you discuss this thing again? A.—Yes, the matter was very freely discussed then.

Q.—From what standpoint? A.—Well, from all standpoints. There was my wife, and my two sons and my son's wife was present. We were all together and we discussed it. We were old friends. And we talked the matter over.

Q.—I gather from what you say that you considered this a matter of grave importance? A.—Yes, Mr. Downey himself was very much incensed and worked up over it. His attitude was that the thing was absolutely wrong and that he would not do it. That is the impression he gave me. That is the only impression I had. I asked Mr. Downey in the evening if he would take the matter up with Mr. Browning and he told me he would; whether he did or not I do not know. I was under the impression that had been done.

Q.—He says here he does not know whether he did or not? A.—Well, I do not know.

Q.—And you know nothing of this particular transaction except in so far as it was reported to you by Mr. Downey? A.—I do not know anything about it at all. I did not see it in any of the details at all.

Q.—And it was on the strength of Mr. Downey's statement that you made the assertions contained in your report to Mr. Boyle? A.—Oh, yes, absolutely that.

Q.—Is there anything else you know about it? A.—In the correspondence with Mr. Boyle I reported it to him, too.

Q.—That was in your letter of the 25th, or do you remember the date? A.—Oh, yes, I have seen the letter several times. I have a copy of the letter.

Q.—That is the letter of the 25th? A.—Yes. Mr. Boyle was away at the time and I have an acknowledgement with me here of the receipt of the letter, from his secretary, stating that the matter would be laid before his attention on his return. He was not in the city.

Q.—There is no doubt about the receipt of the letter, I think.

MR. MACKAY: You and Mr. Boyle have been carrying on correspondence beginning with November 5th? A.—November 4th.

Q.—And you reported this to Mr. Boyle on the 25th? A.—Yes.

Q.—But you have been carrying on correspondence from the 4th until after the 25th, off and on? A.—Until the 25th.

Q.—Not after? A.—There is no correspondence from me after the 25th. There is an acknowledgment from Mr. Boyle's secretary dated the 28th.

Q.—I thought you resigned? A.—I don't think you will find that any place. I asked to be relieved of the work and I asked for dismissal and Mr. Boyle accepted my resignation on the strength of those statements and I am quite content to have it rest that way.

Q.—I do not want to go into that today, at all events. A.—No.

Q.—I want to fix the date. It would be on November the 7th. There was a long letter with the last sentence. (Reading): "For reasons which are very obvious and plain from the 'above, you can no doubt gather that I am pleased with your dismissal of me, and that I am 'very happy indeed to be free from the connection, and after laying copies of this correspondence 'before the Premier, I am ready to depart as soon as relieved of the work of the office.' That was November 7th? A.—Yes.

Q.—That would be the date that Mr. Douglas would first step in? A.—Yes, all those dates could be ascertained accurately, I think.

Q.—I see on the 13th the Attorney General writes "I am in receipt of several letters of yours "of recent date." Would there be letters after the 7th, that you wrote? What does the letter of the 13th refer to? A.—I will give you a list here.

Q.—What would your letter just before the 13th of November to the Attorney General be? A.—There are two letters of November 7th.

Q.—After November 7th? A.—Then a letter to me from Mr. Boyle of November 13th.

Q.—Were there any letters of yours between? A.—No, nothing in between.

Q.—And what is the next? A.—My reply to Mr. Boyle dated November 25th.

Q.—Then it was not until the 25th that you laid this matter before Mr. Boyle? A.—Mr. Boyle was out of the city.

Q.—He was not, evidently, out of the city after the 13th, because on the 13th he writes you?
A.—Yes.

Q.—This thing is supposed to have occurred on the 8th and 9th? A.—Yes. Read Mr. Boyle's letter of the 13th to me.

Q.—I have read it. A.—I would like it read aloud. Or let it go until the other matters are up.

Q.—I am just fixing the dates now. I am not going into anything else absolutely. I am just getting the dates. A.—I would state that during that time I was very busy at the office with Mr. Douglas and the auditors both at the office in Calgary, and on the 10th and the 11th turning over the stocks there and here and assisting the auditors in a great many ways in getting the audit made.

Q.—I think you made it clear to Mr. Ewing you had no personal knowledge of what occurred?
A.—No, sir.

Q.—No personal knowledge at all? A.—No.

Q.—And you left that shop or office on the evening of the 8th about what time? A.—It would be between five and six o'clock, I think. We got home just shortly before supper time and went in an automobile.

Q.—And you and Mr. Downey and your son went together? A.—Yes.

Q.—Did you see Mr. Archibald there late that afternoon? A.—No, I did not see Mr. Archibald at all. I was there until the time I left and I think during the whole afternoon I had no occasion to be in Mr. Webster's part of the premises unless somebody called me over the 'phone. We were working—busy.

Q.—What rooms would you be in? A.—We would be working in rooms "A," "B" and "C." (Referring to Exhibit 5). But we would be all afternoon in "A," I think.

Q.—And there was nothing said to you about Mr. Archibald being there? A.—No.

Committee adjourns till 10 a.m., Friday, March 28th, 1919.

FRIDAY, MARCH 28th, 1919.—COMMITTEE RESUMES AT 10 A.M.

MR. FORSTER, recalled:

MR. EWING: Is there anything more you wish to say on this point, do you remember?

A.—No, I do not think there is anything more I wish to say. I wish to make a very complete——

MR. MACKAY: Well, we will get into that later.

MR. EWING: I think, Mr. Chairman, as Mr. Forster has mentioned Mr. Binns as being present, I would like to call Mr. Binns just to see what his recollection is.

J. H. BINNS, called and sworn, testified as follows:

MR. EWING: You are employed in the Audit Department? A.—Yes, sir.

Q.—And have been for some time? A.—Since 1915.

Q.—And, as the auditor, you went down to examine the books of the Local Vendor, Mr. Webster? A.—Yes.

Q.—When did you do that? A.—My audit comprised from the 1st December, 1917, to the 6th November, 1918.

Q.—That is the period which you audited. But when did you do the audit? A.—Well, I finished it between that and the 15th of December.

Q.—From the 6th November to the 15th December? A.—Yes, 15th or 20th.

Q.—Well, do you remember the occasion of the 8th of November? A.—No, I cannot place that date.

Q.—You cannot place that date. Were you present on any occasion, that is said to be the 8th, but at a time when Mr. Downey spoke to Mr. Forster about any irregularity or any alleged irregularity in the office? A.—Well, I was present when Downey had been speaking to Mr. Forster, but I could not say what the subject was.

Q.—You were not within hearing distance? A.—No.

Q.—Did you ever hear Mr. Downey speaking to Mr. Forster or vice versa about any irregularity in the office? A.—No.

Q.—Did you ever hear any discussion with Mr. Downey or had Mr. Downey any connection with any charge of letting liquor out without it being paid for?

MR. MACKAY: Well, now, I object. I do not think that question is fair.

MR. EWING: I want to put it fairly.

MR. MACKAY: I think a conversation between Downey and Forster is all right, but any loose conversation between these men——

MR. EWING: I am just trying to place the incident.

MR. MACKAY: That last question is not fair, surely.

MR. EWING: Well, erase the question. We are examining into a transaction which is said to have taken place on the 8th of November. A.—I can clear that up with you.

Q.—What? A.—The only thing I heard is what Mr. Forster himself told me personally.

Q.—When? A.—I think it was Saturday morning, we were over in the bonded warehouse transferring the stock to Douglas.

Q.—The Saturday morning? A.—Yes.

Q.—That would be the 9th, would it not? A.—Yes, that would be the 9th.

MR. MACKAY: Of course that is not evidence. You ought to draw the line somewhere.

MR. EWING: It is corroborative evidence.

MR. MACKAY: No, it is not. I object to that. You could put a plant of any kind when a man was not there. There was neither Downey or Webster or anybody else.

MR. EWING: All I have to say is this and I will rest at that and will not quarrel over these things—we are not here holding a court, we are here as a committee investigating certain allegations. Now, Mr. Forster says he was told certain things as to whether immediately that time or on the following day he told it to someone else is surely corroborative, in fact, as to whether or not he has told the thing, and it is in doubt as to whether he was told it or not?

THE CHAIRMAN: I do not think Forster—

MR. EWING: Have I made it clear to you?

THE CHAIRMAN: Perfectly clear. I do not think Mr. Forster denied he told it to anybody.

MR. EWING: He has been telling people recently——

MR. MACKAY: I do not know how the Committee will view it. The unfortunate thing is we are investigating a matter here where the two parties apparently pitted against one another are not pitted against one another at all. It would not matter if Mr. Forster was told the truth or not. But if he was told that this thing occurred but subsequently, not in a report, but subsequently in a letter stated the thing to the Attorney General, it would not matter at the back of that whether it was true or false. If he was told that and passes it on that is all any man could do. I do not know how the Committee will feel. I certainly am not going to advocate he was not told that. But the trouble is we are not investigating the start of it. Forster's letter shows he was told so and so, and he passes it on.

THE CHAIRMAN: I think that is right, Mr. Ewing.

MR. EWING: Now, Mr. Chairman, you have come to a very hurried conclusion.

THE CHAIRMAN: No, I have not. I have been following this thing very closely.

MR. EWING: Here is a witness who says that a certain irregularity was mentioned to him. I quite agree with Mr. MacKay that I do not think it will be disputed he was told it, although some members of the Committee may dispute it to what I would find it.

MR. MACKAY: I am not suggesting that Forster is putting a plant up. But a man might put a plant up every day by going and felling people so and so was stated.

MR. EWING: But if any member is inclined to doubt that——what I say is, that the fact that Mr. Forster told the official auditor at the time he was engaged in the particular business for which he was there—that is, auditing the books—an employe of this province, I think it is evidence that this Committee ought to have.

MR. MACKAY: Well, in the view I hold I won't object to it at all.

MR. EWING: Well, you can rule it out, Mr. Chairman.

MR. MACKAY: Leave it there.

THE CHAIRMAN: Go on, Mr. Ewing.

MR. EWING: I have asked Mr. Binns as to whether or not Mr. Forster spoke to him about this matter at any time, and he says he did on Saturday morning. And the question is whether or not he ought to be permitted to say what Mr. Forster told him.

MR. MACKAY: Let him answer the question and we will get on.

A.—Mr. Forster simply said that Downey had told him that he had stopped a shipment of liquor going out by Mr. Boudreau without being paid for. But since then I have had it in my mind that the cause he stopped it for was that the cheque was not accepted. I do not know whether I would be correct in swearing to that, but that got into my mind that was the reason.

Q.—How do you mean that got into your mind? A.—That was the impression left at the time.

Q.—From what Mr. Forster told you? A.—Yes.

Q.—You did not speak to Mr. Downey about it at all? A.—No.

Q.—That is all you have about it? A.—Yes.

Q.—You have nothing else to tell the Committee? A.—No.

MR. MACKAY: What day of the week was that—what date? A.—That would be on Saturday morning, the 9th.

Q.—That is when Forster told you something that he said Downey told him? A.—Yes.

Q.—And you say your impression is that the cheque was not taken because it was not an accepted cheque. That is the recollection you have? A.—That was the cause. I would not be prepared to swear he said that.

Q.—Your recollection is apparently that a cheque was presented but because it was not a marked cheque it was not taken and the goods were refused. Is that it? A.—Well, that is what my impression has been. But what confirmed me in that was this, that shortly afterwards I noticed a placard put up by the vendor on the wall that on and after such a date no cheques would be received unless they were accepted by the bank.

Q.—And after seeing that did your mind go back to the conversation? A.—Yes.

Q.—That called your mind to the conversation and you thought these two things were in line? A.—Yes.

Q.—When did you go there? A.—Which?

Q.—When did you go to audit in his store? A.—I think—let's see. We took one stock on November 6th.

Q.—There were two of you. Who was with you? A.—Mr. McVay.

Q.—And did you have anything to do with the depositing of cheques while you were there? A.—Only on one occasion.

Q.—When was that? A.—On the morning of the 7th.

Q.—What did you have to do with the depositing of cheques on the morning of the 7th? A.—The first thing we do when we start to audit things, we grab the cash.

Q.—That is the start? A.—Yes.

Q.—What did you grab? A.—\$8,000 worth of cash and deposited it on the morning of the 7th in company with Mr. Webster.

Q.—You are clear that was the morning of the 7th? A.—Yes.

Q.—What was the nature of the deposit? A.—Well, it was made up of cheques and post office money orders and bank money orders and cash.

Q.—Have you any way of telling how far back, that is the morning of the 7th, have you any way of telling how far back these cheques had run, what dates they were? A.—Well, at the time I made the deposit I did not look into that at all, but last night I went down and traced up a few of them.

Q.—How could you trace them? A.—By Mr. Webster's records.

Q.—And what did you discover? A.—Do you want me to name some incidents.

Q.—Just give me whatever you found. I did not know you did that and I do not know anything about it. Tell me what you found. You are speaking now—? A.—Of Webster's records.

Q.—You made out a deposit slip? A.—Yes, sir.

Q.—Was it made out by yourself? A.—Yes, sir.

Q.—Have you the slip there? A.—A carbon copy of it (produced). My carbon copy of this deposit runs in two books. Take this item here. (Indicating).

Q.—Wait a minute. A.—It is continued and carried forward.

Q.—You produce a carbon copy of the deposit slip with reference to the deposit made on the morning of November 7th? A.—Yes, sir.

Q.—Is that Page 8? A.—No, there are no pages.

Carbon copy of deposit slip commencing with November 7, 1918, marked Exhibit 7.

Continuation of deposit slip contained in other book of carbon copies marked Exhibit 8.

Q.—Dealing with the items marked on that deposit slip, of items you deposited on November 7th, what did you find? A.—Take this order of Higgs, Northern Drug Company, of Wetaskiwin; a cheque for \$144.65 was received by Mr. Webster on October 28th. This is according to his records.

Q.—Received when? A.—October 28th, and the goods to the extent of \$139.00 was filled on October 30th. It was deposited in my deposit of November 7th, consequently missing Mr. Webster's deposits of October 31st, November 2nd, November 4th and November 6th.

Q.—Now, give us another instance, if you have another? A.—Here is one of Archibald's.

Q.—What is that—a cheque or what? A.—A cheque—yes. This particular cheque, the order was filled November 5th and I deposited it in my deposit of November 7th.

Q.—What is the date of that cheque? A.—The order was filled November 5th. I do not know the date of the cheque.

Q.—There is no record of the date of the cheque? A.—No.

Q.—And—? A.—Here is Long, at Vegreville. The order was filled on November 4th; and consequently would miss the deposits.

Q.—The order would not miss? A.—The post office order was deposited in my deposit of November 7th.

Q.—But when was it received by Webster? A.—It says received November 4th and filled November 4th.

Q.—The records show it was received on November 4th. We are speaking of the records now. A.—Yes.

Q.—And what deposits did that skip of his, now? It skipped the 6th and possibly the 4th. It would all depend. It evidently was deposited on November 6th. That is clear. You could not say the 4th unless you have the hours? A.—No.

Q.—Go on. A.—Purvis. Mr. Webster in depositing the money orders in his deposits never put anything down, so while the figures show it would apply to the transaction, you cannot absolutely identify them, but those where I deposited myself I put the name down.

Q.—You mean when he made the deposit in the bank? A.—In tabulating his deposits he just put down "Post Office Order" and not naming where they came from, whether from Vegreville or anywhere else.

Q.—What is this? A.—Purvis; Post Office money order from Sedgwick. This apparently, according to Mr. Webster's record was received on November 4th, filled on November 4th, and deposited by me on November 7th.

Q.—Then the same applies to that. Webster in the meantime had clearly made a deposit on November 6th and had not deposited it. Whether he had it before his November 4th deposit or not you cannot tell, can you, by hours? A.—No. Here is one of Duncan, of Edmonton. Mr. Webster has a memo. here.

Q.—Memo. on what? A.—On his requisition.

Q.—On the sworn requisition? A.—Yes.

Q.—On the 5th? A.—The cheque was received on the 5th, \$21.50, and this was deposited on the 7th.

Q.—Was there anything to show when the order was filled? What is the date of the requisition? A.—November 4th the requisition is dated.

Q.—That is Duncan's requisition dated November 4th? A.—Yes.

Q.—When is the jurat sworn? A.—4th.

Q.—And what is the mark on the 5th—received cheque? What is that? A.—\$5.00 was paid him in the next bill. That is a reference, given by two quart bottles of brandy.

Q.—Is there anything as to the date it was filled? A.—No, it has not got any particular date.

Q.—Duncan lives in the city? A.—Yes.

Q.—And the requisition is sworn on the 4th; dated the 4th? A.—The cheque paid on the 5th.

Q.—And it was not deposited till you came on the 7th? A.—Yes, that is the idea.

Q.—Here is the Dominion Drug Company. This Dominion Drug Company was paid on November 4th, according to the records here? A.—An order for \$352.25, marked paid, requisition dated November 4th, signed M. J. Rowland and deposited by me on November 7th. I am getting away from my own deposit; but according to his records here is one of Archibald's, received November 11th, cheque for \$9.50 and according to this bank book, although Mr. Webster's deposit slips are dated different to what is recorded in the bank, here, I take it from the bank book as being correct. It has reference to this deposit here. It is marked November 14th. But according to Mr. Webster's books he has got it November 12th. Then, taking that as correct—

Q.—The actual deposit is when—? A.—November 14th.

Q.—Well, is the amount the same? A.—Well, it is within four cents. Of course that is—

Q.—Never mind commenting; let us get the facts. The slip of November 12th—Webster's bank deposit slip of November 12th shows what amount? A.—\$2,158.25 and the bank book shows \$2,158.29; four cents difference.

Q.—Is there any other? A.—No.

Q.—Wait a minute till you get my question. Is there any other amount either before or after that date, recently before or after, that approximates at all \$2,158.29? A.—No. This Archibald order, November 11th, \$9.50 was received.

Q.—What was it? A.—A cheque.

Q.—What is the date of the order or the requisition? A.—November 11th.

Q.—What is the date of the cheque? A.—I could not give you the date of the cheque. It just says cheque, \$9.50.

Q.—Does the date of the filling there show? A.—No.

Q.—When was it deposited? A.—It was deposited on November 14th; that is taking this bank book as the 14th deposit.

Q.—Was it deposited in the meantime?

MR. EWING: I understood you to say that Webster showed it to be deposited on the 12th but the bank book showed it on the 13th? A.—No, the 14th. That would be skipping the deposits of the 12th and 13th.

MR. MACKAY: The deposits of November 12th and 13th were missed? A.—Yes, that is the idea.

MR. EWING: Well, not necessarily, of course.

MR. MACKAY: Well, the other date is November 11th. Is that Archibald thing on November 11th? A.—Yes, sir, November 11th. Here is Mooney Drug Company of Edmonton; the requisition is dated November 11th, filled November 11th.

Q.—Is it marked filled November 11th? A.—Yes, sir, and it was deposited on November 13th.

Q.—Did that skip a deposit? A.—That would skip the deposit of the 12th.

Q.—As shown by the bank book? A.—As shown by the bank book.

Q.—Deposited on the 13th? A.—Yes. Here is one of Rae—W. A. Rae, applicant, of Grande Prairie. This requisition shows it to be dated November 11th and says "Paid by Rae's cheque." It does not say when it is paid. And I do not see any place where it says filled. It says "Delivered to W. R. Smith, Dunvegan Yards." I suppose that is for shipment. But this was deposited—

Q.—What is the amount of that money? A.—\$96. This was deposited in a bank book of November 14th, thereby missing the deposits of November 12th and 13th.

Q.—Where did you find these cheques when you went to make your deposit on the morning of November 7th? Did you make any deposit but the one? A.—Just the one. Mr. Webster handed them to me out of the drawer of the safe. I asked him for all the cash and cheques that he had.

Q.—And did you list them? A.—Yes, sir.

Q.—You made out the deposit slips that are put in as Exhibits? A.—Yes. I first got hold of them on the evening of the 6th and listed them and then on the morning of the 7th I made the deposit and O.K.'d them by my former listing.

Q.—You actually made the lists out on the evening of the 6th? A.—Yes, sir.

Q.—And you checked your lists on the morning of the 7th and made the deposit? A.—Yes.

Q.—Anything else you can tell me that bears on this? A.—No.

MR. EWING: You are employed in the Audit Department, are you? A.—Yes, sir.

Q.—You act under instructions from the Chief Auditor? A.—Yes, sir.

Q.—Who instructed you to go down last night and investigate these reports? A.—I was asked by Mr. Boyle.

Q.—You were asked by Mr. Boyle personally? A.—Yes, sir.

Q.—Had you interviewed Mr. Boyle before about it? A.—No, sir.

Q.—Mr. Boyle simply called you to his office and told you to go down and find out these particular things? A.—He told me to go down and report what I did.

Q.—And told you to go down and report what you have reported? A.—Yes, sir.

Q.—To be fair, I do not think you quite mean that. He did not tell you to go down and report the things which you have reported here this morning? A.—Well, I will tell you the exact words.

Q.—I would sooner get that. I do not want to leave a wrong impression in the minds of the Committee. A.—Mr. Boyle said he would like me to go down if possible to confirm whether the practice as stated by Mr. Webster was effected or not; he would like to know.

MR. MACKAY: To confirm whether it was a fact or not? A.—And he asked if I could do it at night and I told him yes.

MR. EWING: And in accordance with his instructions you went down? A.—Yes..

Q.—When you made up your deposit of November 7th, I think you said you made up the slip on the morning of the 7th; the morning of the 6th, wasn't it? A.—No, the morning of the 7th.

Q.—Was that the first time? A.—I took the cash on the evening of the 6th and on the morning of the 7th I took these cheques again and tied them up and made up my deposit and checked it back on my former slip of the evening to see that I was absolutely correct and I had Mr. Webster go over them and O.K. them.

Q.—Were any of these cheques marked? A.—I could not say.

Q.—You did not examine them sufficiently to say whether any of them were marked or not? A.—No, I could not say whether they were marked or not.

Q.—You know what I mean—accepted by the bank? A.—Yes.

Q.—Did you ever see any cheques in the vendor's office that were marked accepted by the bank? A.—No, I could not recall that.

Q.—What have you to say, as an auditor, about holding cheques over deposits—beyond deposits? A.—Well, I do not just catch your question.

Q.—In the conduct of a business, what have you to say, as an auditor, of the practice of having cheques in for which the goods have gone out, and making a deposit and not including some of the cheques in the deposit? A.—Well, in the matter of holding cheques, the vendor himself would be taking the chance of these cheques not being paid on presentation.

Q.—Apart from his taking the risk, you think the practice is all right, do you? A.—I do not think it is good practice to hold cheques very long, in any case.

MR. MACKAY: There is no doubt about that.

MR. WEIR: Especially on government business.

MR. EWING: You do not think it is good practice? A.—No, I do not think it is good practice.

Q.—And you think in the proper conduct of a business you would deposit all the cheques you had on hand? A.—Yes, I would say so.

Q.—Could you advance a reason for holding cheques? I am not speaking of Mr. Webster because you do not know the reasons that actuated him? A.—Yes, I do know the reasons. In some cases I know the reasons.

Q.—Did he tell you the reason? A.—No, he never told me the reason, but I can—well, I won't say. Go ahead.

Q.—I would like to know. A.—He has told me the reasons why he has held cheques.

Q.—Why? A.—Well, he said in some cases that orders were not filled completely and in other cases he was not particular as to how he deposited the amount as long as he got the amount as called for by his daily return sheets. He has told me that and I have—

Q.—As a matter of fact, he made up a deposit each time sufficient to cover the amount required by his daily sheets, and just let the rest stay in the till? A.—He is required to deposit the amount as recorded on his daily sheets.

Q.—But that should include all that was in the till if the business were run properly? A.—It should include all only for orders that are not filled.

Q.—In these cases which you have mentioned they were in all cases where the orders were filled? A.—Yes.

Q.—As an auditor, and knowing the conduct of private business, can you suggest any other reasons why cheques might be held over? A.—No, I cannot say that.

Q.—Oh, yes, I should think you could find out some reason. A.—Well, it is a pretty broad question. I do not just exactly—get down and give me it a little more concisely and possibly I can answer it.

Q.—Have you ever heard of cheques being delivered and asked to be held for a certain date until they could be covered? A.—That is what they call kiting—yes, lots of it.

Q.—For example, you told us of Higgs' cheque. You referred to that. I am taking the first one of the Northern Drug Company, Wetaskiwin. It was received on October 28th. That is the application, I take it? A.—Yes.

Q.—The goods were made up on October 30th. The order was filled on October 30th. I did not get the date. Tell me again the date on which it was deposited? It was in your deposit of the 7th, I think? A.—Yes.

Q.—Did he give any reason why that cheque was held? A.—I could not see any reason.

Q.—It was according to his books in his possession on October the 30th—in fact on October the 28th? A.—Yes, received October the 28th.

Q.—What does that mean? A.—That is just a memo.

MR. MACKAY: What is the meaning of the record? A.—It means it was received by Mr. Webster on that date.

MR. EWING: You mean the application was received or the cheque? A.—The cheque.

Q.—What date was the application received? A.—The application, I think, is dated here October 26th.

Q.—That would be dated at Wetaskiwin, wouldn't it? A.—Yes, sir, it is signed.

Q.—It is sworn when? A.—It is sworn on the 26th October.

Q.—May not that memorandum endorsed mean that the application was received on the 28th? A.—Yes, the application could be received by Mr. Webster on the 28th.

Q.—Does it say that the cheque was received on the 28th? A.—Yes, received order on October 28th and cheque, \$68.

Q.—Would you say that that necessarily meant that the cheque accompanied that application? A.—Well, I would take it so—yes.

Q.—The word "Cheque \$68" is written underneath "Received"? A.—Yes, I take it as that.

Q.—Can you give any explanation of why a cheque which you say was received on the 28th October was found in the drawer of the vendor on the 7th of November? A.—Well, the only explanation I can give is Mr. Webster states his statement as regards how he makes his deposits; that would be the only cause that it would be at that time if that is correct.

Q.—You place some confidence in that statement, do you, that he did not go to the bottom of the drawer, that he simply took the cheques on top? A.—I do not know that I would place confidence in the statement he did not get to the bottom of the drawer, but I would that he used his cheques indiscriminately, because I have seen him do it.

Q.—In auditing the books, had you any preconceived notions as to his lack of discrimination? A.—No.

Q.—When you found there any irregularity you would look into that carefully? A.—Well, as far as the length of cheques being held and no deposit I did not check back to find out when they were received. My duty began and ended in the fact that the money was got into the hands of the proper authorities.

Q.—You were not interested in whether or not the cheques were received and held for some considerable time. A.—Exactly.

Q.—Until last night, when you were instructed to make this investigation? A.—Yes. All I was interested in was in getting them into the bank, that is all.

Q.—The money you found there? A.—Yes.

Q.—And you found some cheques dated back a considerable time. Now, then, this cheque, how long were you there? You went in on the 6th and you were there continuously how long? A.—Not continuously, because I was auditing in Calgary and I had the chief vendor's—

Q.—When you went in on the 6th, how long were you there continuously? A.—Oh, I would say a week or ten days.

Q.—That would be until some time on the 14th, 15th or 16th? A.—Yes.

Q.—You were there in actual control of the books and the records? A.—For current business?

Q.—Yes. A.—No.

Q.—You had not, eh? A.—No.

Q.—Didn't you pay any attention to current business when you were there? A.—No, after I closed the books on the 6th I was not interested—

Q.—When you cleaned out everything and made that deposit, as an auditor ought to do and as you did, did you say anything to Mr. Webster about his practice of holding over cheques? A.—No, I never mentioned it.

Q.—Did you say it was his duty to make his deposits daily? A.—No, I don't know if I would comment on that. I did not think it was necessary at that time.

Q.—You found these irregularities? A.—You mean with reference to these cheques being held? I never noticed them; it never struck me—

Q.—And this \$8,251—that was your deposit of the 7th, was it? A.—Yes.

Q.—What business did you think that covered? A.—Well, I knew it must have covered three or four days anyway, at that time.

Q.—You could see those cheques that were dated away back—you could see the dates of the cheques when you got them? A.—I just tabulated them as regards cheques.

Q.—You did not look at the dates? A.—No, I did not look at the dates.

Q.—You were there to look into the conduct of that business? A.—I have covered that in my report.

Q.—I know; I will come to that, Mr. Binns. I have seen the report. Did you look into the current business at all while you were there? A.—No, I did not. I never looked more than I was working there a week or ten days.

Q.—Where were you working when you were doing this? A.—Principally in the little sub-office that was there.

Q.—Had you a view of the outer office? A.—In a great many cases, yes.

Q.—Didn't you assist Mr. Webster in making some subsequent deposits? A.—No.

Q.—And you did not know as a matter of fact while you were in auditing for ten days whether or not Mr. Webster was making any deposits at all? A.—Yes, I did.

Q.—How did you know? A.—Well, I had occasion, in order to get the liquor properly recorded by Mr. Forster—Mr. Webster's return sheets had not been sent in and I was anxious to see that they were completed and that is how I observed that on one or two occasions money was deposited in the bank in blank and the return sheets made up.

Q.—When was that? A.—Just on one occasion.

Q.—When was that? A.—The deposit was made by Mr. Parks, the other accountant of Mr. Douglas' department in conjunction with Mr. Webster.

Q.—When was it you discovered that? A.—I think that would be on the 8th.

Q.—That is a deposit was made—do you know? A.—Possibly the 9th.

Q.—Do you know whether that deposit covered all the cash and cheques on hand at that time? A.—I could not say that.

Q.—All you know is a blank deposit was made in the bank and some time later the sheet was made up covering that deposit? A.—Yes.

Q.—Well, then, when it was made up and when this was brought to your attention, did you check the sheet with your deposit? A.—I was not checking that end of it. That was up to Mr. Douglas—between him and Mr. Webster.

Q.—And you were not going behind November the 6th? A.—I was only interested in—

MR. MACKAY: Were you sent over to make an audit up to November the 7th when the transfer was supposed to be made? A.—Yes.

Q.—Douglas would be supposed to take charge on November 7th? A.—Yes.

Q.—And you were dealing prior to that date? A.—Yes.

MR. WEIR: Do you mean to say the deposit was made in the bank and afterwards slips made up to jibe with that deposit? A.—No.

Q.—But you just made a statement that there was a deposit made in one case and the sheets were made up afterwards? A.—I stated that Mr. Parks made a total deposit, something similar to the one I made and the return sheets would be sent in for that, or covering that amount.

Q.—Is there any harmonizing of these sheets before that money was put in? A.—I do not know.

Q.—Who would know? A.—Parks himself and Douglas would know that. I know nothing about that.

Q.—Who is Parks? A.—He was the accountant appointed to assist Mr. Douglas at the vendor's offices.

Q.—Do you know his first name? A.—No.

Q.—Do you know where he is now? A.—Yes, he is in the employ of the Telephone Department.

Q.—Oh, that is young Frank Parks. All right! Go ahead.

MR. EWING: You spoke of an item, the Dominion Drug Company. It was paid on November 4th. Just turn up that application, will you? (Produced.)

Q.—You have nothing to guide you except the records here? A.—Just the records.

Q.—How do you know that was paid? A.—I could not say positively. The requisition is dated November 4th and marked paid and deposited on the 7th.

Q.—You want to give us the correct impressions? A.—Yes.

Q.—It was dated November 4th; that may or may not be the date on which it reached the vendor? A.—Possibly.

Q.—May have been several days before? A.—Quite possibly.

Q.—It was sworn, for example, on the 4th? A.—Yes.

Q.—It does not follow because an application is dated on the 4th and was sworn on the 4th that it was handed to the vendor on the 4th? A.—No, it could be held, I suppose.

Q.—What is the amount? A.—\$352.

MR. MACKAY: Is it marked, "Paid by cheque"? A.—No, it just says "Paid."

MR. EWING: And I am speaking of the record. Consequently, it does not follow that because the letters "Pd." follow that it was paid on the 4th, does it? A.—No.

Q.—Tell me from this record when that was filled. You told me it was paid on November 4th, which may or may not be true. A.—There is no record as to when it was filled, only Mr. Webster said his custom was that unless it was filled on another day he would put it down on another date, but he just marked it paid.

Q.—In your desire to get the evidence that was wanted you produced here a sheet. It is dated November the 4th and the letters "Pd." are on it, which may indicate it was paid on the

4th or any other date? A.—It is quite possible, yes. There was no cash book at that time to show when that entry was received.

MR. MACKAY: What is the amount? A.—\$352.25.

MR. EWING: No, he kept no cash book. And as far as these records go the only thing you know is that a cheque including that amount was deposited on November 7th? A.—Yes.

Q.—Have you checked that up? A.—Will I check it up again just to be absolutely sure? Yes, here it is here.

Q.—Is the deposit clip Exhibit 7? A.—Dom. Drug, \$352.25.

MR. MACKAY: What is the date? A.—The deposit slip is dated November 7th.

MR. EWING: How many cheques of the Dominion Drug Company were included in that deposit? A.—The first one is Dominion Drug, \$319; \$372; \$12; \$45; \$352.25. That is all that I have seen.

Q.—So at the time you took possession on November the 6th and made a deposit on November the 7th, they were holding cheques of about \$1,100 of Mr. Boudreau's? Just check that up? A.—Yes.

MR. WEIR: Where are those cheques?

MR. EWING: They were cheques that were in the till when the auditors went in.

MR. WEIR: Can they be produced here?

MR. EWING: I suppose they will be; I do not know. They would go back to the Dominion Drug Company.

MR. WEIR: I would ask that these cheques be got and put in as exhibits.

MR. MACKAY: Mr. Boudreau could be called and asked to produce everything he has got. You have full power to produce any documents you want.

MR. EWING: Do you know as a matter of fact that a cheque for over \$400 was paid in to Mr. Webster on the day you made this deposit and was not deposited until the 13th, possibly the 15th? A.—No.

Q.—You did not know that? You never heard anything about that cheque, did you? A.—No.

Q.—Did you hear anything about the transaction which that cheque covered? A.—Nothing more than what I told you Mr. Forster said in the customs.

Q.—And you made no enquiry at all as to what Mr. Webster was doing subsequent to the 6th November? A.—No.

Q.—And you gave him no suggestion as a result of what you found there? A.—Oh, I may have talked to him in a general way about getting his return sheets down.

Q.—But did you talk to him in a general way about making his deposits? A.—No.

Q.—Do you think it was good business to hold cheques of \$1,100 of one firm, some of them for a considerable period? A.—Well, he was taking the risk.

Q.—You would not do it, would you, as a business man? A.—I certainly would not.

MR. MACKAY: Talking about return sheets—what do you mean by return sheets? A.—His daily reports to the chief vendor.

Q.—I think you told me before your sole business would be to audit up to the morning of the 7th November? A.—Up to the evening of November 6th, inclusive.

Q.—Including November 6th and prior to that? A.—Yes.

Q.—The idea was to find out whether the accounts were all right and so on when the transfers were made? A.—Yes.

Q.—You would have no duties or instructions as to what was done after that? A.—None at all.

Q.—And beginning with the morning of the 7th, the new inspector and the retiring inspector would be there? You had no duties outside of that? A.—I was told by the chief auditor to act as clerk. I had already taken stock in regard to Mr. Webster's business and Mr. Forster's business at this end so far as the audit was concerned and Mr. Douglas was not present at that stock taking, and the consequence was there was a certain amount of business done and in transferring the stock I was requested by Mr. Burley in company with Mr. McVay to act as clerk in taking down as they called off.

Q.—While the process of transfer was taking place? A.—Yes.

Q.—And you were asked several questions as to what you did and did not do with reference to Webster after the 7th? You were not dealing with that at all? A.—Not at all.

Q.—With reference to your deposit in blank in the bank? What date was that? A.—That was deposited on the morning of the 7th.

Q.—The deposit in blank? A.—You mean that I mentioned about the other one?

Q.—I mean what I say, as I understand it generally. I thought you were speaking of a deposit in blank in the bank? A.—Well, I called it blank. That is where I deposited \$8,251.36. The return sheets were not in evidence at that time to show whether it would mount up to that or not and I called it a blank deposit. I mean I put in the deposit.

Q.—What do you call a blank deposit? Didn't you have a deposit slip? A.—Yes.

Q.—And these deposit slips that are exhibits; you had them when you made a deposit, didn't you? A.—Yes, the blank is taken in reference. The rule that Mr. Webster would follow was that he should make a daily return sheet. He may have \$1,000 on hand, but his daily return sheet shows \$8,000 due the Chief Vendor. He is supposed to make that daily deposit daily with the daily return sheets. I simply put this money all together.

Q.—You grabbed the money and put that in the bank? A.—Yes.

Q.—And then you checked up afterwards? A.—Yes.

MR. WEIR: Why use that word “grabbed”?

MR. MACKAY: He used it before.

MR. WEIR: Why doesn't he say “Took the money”? That does not sound good to me.

MR. EWING: You say you found one case? A.—I saw one other case where Mr. Parks had done the same thing. That blank was used in that term.

MR. MACKAY: What other was there? A.—Mr. Parks around that date made another one.

Q.—He was an auditor? A.—No.

Q.—What was he? A.—He was Mr. Douglas' accountant.

Q.—And that one was under Mr. Douglas' charge? A.—Exactly.

Q.—By his accountant? A.—Exactly.

Q.—It had nothing to do with Webster, or Boudreau or Forster, or the transfer, had it? A.—No.

MR. WEIR: Do you mean to say it had nothing to do with Douglas or Boudreau or any one else? A.—It was a matter between Douglas' accountant and Mr. Webster.

Q.—You say it had nothing to do with Boudreau. Are you sure it did not? A.—I could not say; I did not see it at all.

MR. EWING: That would be particularly dealing with Mr. Webster.

MR. MACKAY: Yes, Webster would be in it.

Q.—Was that blank deposit, as you call it, similar to the other one? A.—Under the same circumstances.

Q.—That money was banked by a regular deposit slip and the checking with the returns made afterwards? A.—Exactly, would be made afterwards, yes.

MR. FORSTER: You worked on the audit from the start to the finish? A.—Yes.

Q.—How long did it take you? A.—We finished up about the 20th December, I think.

Q.—And your report is dated the 24th December? A.—Possibly that would be it. I would not stick down to dates.

Q.—No, there is no necessity. You were not engaged very long at my end of the business. Were you very long engaged on mine, were you very long engaged on Mr. Bain's at Calgary, or did the bulk of the work consist of straightening up work in connection with the Edmonton store? A.—The bulk of my work did consist in the Edmonton end of the audit.

Q.—Would this statement here in your audit of December 24th be correct? This statement shows a cash audit on the part of Mr. Webster?

MR. MACKAY: Is that bearing on this question now, or is it the general question? We are at this particular thing. We will get at the whole of it later. Do not mix it.

MR. DAVIDSON: Did you enquire into that deposit of November the 6th—the blank deposit on November 6th from the vendor? A.—Oh, I checked that all up.

Q.—Was that cash or cash and cheques, both? A.—I do not remember. The slip will show. But that would come under my audit.

Q.—Were there any cheques deposited? A.—I could not say unless I looked up the slips.

Q.—Have you looked them up? A.—It is right here; apparently it was all cash.

Q.—And no cheques were carried over November the 6th? A.—Yes, I got cheques on November the 7th which would be business of November the 6th and prior dates.

Q.—You give the record of cheques that you say were carried over that blank deposit of November 6th. But all the deposit of November 6th was cash? A.—Yes, according to the copies here, sure.

MR. WEIR: I want to ask Mr. Forster a question.

THE CHAIRMAN: Mr. Forster, you are still under oath.

MR. WEIR: (To Mr. Forster)—I am reading from a letter of yours: “Even yet I consider it would be sensible and advisable to modify your orders to give the local druggists all “the liquor they want.” How did you get those orders?

MR. MACKAY: Now, what has that to do with it?

MR. WEIR: It has everything to do with it.

MR. MACKAY: What are you reading from?

MR. WEIR: From a letter dated November 7th, 1918, in the return laid down out of which all this thing grew.

MR. MACKAY: I object to it. It has nothing to do with this investigation. We can go into it all later on.

MR. WEIR: I do not see why we cannot go into it now.

THE CHAIRMAN: Why can't we go into it in the Public Accounts Committee? Why can't we just get into this investigation re Boudreau—that he received liquor on a certain date?

MR. WEIR: Is that all we have dealt with here?

THE CHAIRMAN: Yes, that is all we have dealt with here.

MR. WEIR: Is it not possible that the order of the Attorney General, if this statement is right, to give the local druggists all the liquor they want, may have something to do with Boudreau getting the liquor at that time?

THE CHAIRMAN: I do not think you can stop them getting all they want, by law. They can get all they want, by law.

MR. MACKAY: There never was any change; there never was a limit.

MR. WEIR: If they were entitled by law would not the liquor Boudreau got come under that? If it was part of the law, why not allow this question?

MR. EWING: The law says the vendor may sell. He is not compelled to sell. He may refuse liquor to anybody. We are getting on to another question.

THE CHAIRMAN: I think that will come up in the Public Accounts Committee.

H. H. RICHARDS, called and sworn, testified as follows:

MR. MACKAY: What is your position? A.—Assistant Manager in the Royal Bank.

Q.—In November last had you the same position? A.—I had, sir.

MR. WEIR: I would like to know what Mr. Richards' position as assistant in the Royal Bank has to do with Mr. Boudreau's getting whiskey out of that store without paying for it?

MR. MACKAY: You will find it has, later on.

MR. WEIR: I want your ruling on that. If we have to keep down to \$400 worth of liquor taken out on a certain night, let's keep to it.

MR. MACKAY: The question I was going to ask is this, and I submit it is evidence within the lines of the investigation we have been conducting. The suggestion is that the cheque had to be held back as if it could not be cashed. I want to show that all through this period there was a large surplus and it would be ridiculous to ask to hold a cheque for a few days, that it could have been cashed any time and there was a large margin in the Drug Company's account.

MR. WEIR: All of which is very fine, but his position as assistant manager—

MR. MACKAY: I am placing the man. How could I get it in otherwise?

Q.—Here I show you a letter signed by Mr. McMillan. Is that the General Manager?

MR. HOADLEY: I rise to object to that. I think the original document, the book itself, should be produced.

MR. MACKAY: He is producing the big bank book. Have you the bank book there? A.—Yes.

Q.—Turn up the Drug Company's account. I want to know the standing of the Dominion Drug Company beginning with November 1st to the 14th. A.—Balances on the days?

Q.—Take every day from November 1st to November 14th? A.—I have them from the ledger here. That is a copy of it.

Q.—Is this correct? A.—Yes. (Produced.)

Q.—This appeared in the form of a letter by the manager to Mr. Boudreau, M.P.P., March 19th.

Said letter read and marked Exhibit 9.

Q.—November 9th would appear to be empty here? A.—That was Sunday.

Q.—No, it was Saturday. Take the bank book? A.—The same as the 8th.

Q.—The balance on November 9th is the same as the 8th? A.—Yes, sir.

Q.—Can you say anything as to the correctness of the last sentence in that letter? Read the sentence. A.—(Reading): "I might also add that the company had a line of credit of \$2,000 which was not availed of at any time during the above period."

Q.—Is that correct? A.—Yes, sir.

MR. WEIR: What has that got to do with the \$400 worth of liquor?

MR. MACKAY: It would be absolutely ridiculous for a request to be made for a cheque to be held when it did not need to be held.

MR. WEIR: Oh, he was in a good financial position. Nobody doubts that.

MR. MACKAY: Well, why should he ask to have a cheque held? There is a lot of common sense enters into these things, you know.

MR. BOUDREAU: What business have you to look into my bank account?

DR. STANLEY: I want to put it in as evidence.

MR. BOUDREAU: You might put that page in.

MR. EWING: A document is here, produced to show a certain thing. I have no desire to dig into your private business. I am checking up the exact cheques which are sworn to be in possession of the vendor at the time the deposit was made.

MR. BOUDREAU: I simply call the attention of the Committee that the Committee has had all kinds of latitude, to go even into the stock of the company and the bank book of the company, and if they want to find out who is a shareholder of the company I am willing to open the book and let them go to it.

MR. MACKAY: You have no objection to going through the whole book.

MR. BOUDREAU: No, there is nothing to hide.

THE CHAIRMAN: You are only looking over these dates?

MR. EWING: I want to look over this, Mr. Chairman.

THE CHAIRMAN: Well, only those dates.

MR. EWING: No.

THE CHAIRMAN: Well, I will rule against you.

MR. WEIR: What power have you to rule on motions not before this Committee?

MR. BOUDREAU: You go through from the beginning. I have nothing to hide.

MR. MACKAY: The book is not in and is not marked as an exhibit.

THE CHAIRMAN: The only reference I made to it was that he would confine himself to the dates.

MR. MACKAY: That is very often done. I have seen books put in when the rest of the book was sealed by the court so that nobody could see it, in a particular account. It was a little different to this, of course.

MR. EWING: If I have not a right I do not want to do it at all. I do not want to do it as a matter of privilege. I have no interest in Mr. Boudreau's private business.

DR. STANLEY: Do not take it as a concession.

THE CHAIRMAN: He has given his consent.

MR. EWING: I have your ruling against it.

THE CHAIRMAN: He raised an objection that you would only confine yourself to certain dates and I said if you were going beyond that I would have to rule against you.

MR. EWING: Well, you objected.

THE CHAIRMAN: But he has withdrawn his objection. I have no objection at all, if he has not, to going through his private affairs.

MR. EATON: I would like to move that a committee be formed of the Chairman, Mr. Ewing and Mr. MacKay, to go into this matter and report to this Committee at its next sittings on a report that we should render to the House.

MR. SKELDING: I second that.

MR. DAVIS: I agree with the suggestion that it would expedite matters by appointing this sub-committee, but I do not agree with the Committee that has been selected and I would move in amendment that with Mr. MacKay, Mr. Ewing and Mr. Davidson constitute a committee.

MR. DAVIDSON: I am not a member of the Committee.

MR. WEIR: I think the best Committee would be Forster, Boudreau and Mr. MacKay.

MR. RAMSEY: I think if that committee is going to be appointed—I do not quite agree, I cannot say why I do not agree, but if it is going to be that committee I would like to see Mr. Ebbett substituted for the chairman.

THE CHAIRMAN: That would be agreeable to me, gentlemen.

MR. RAMSEY: I think it would be better for several reasons. There are three lawyers and put them together.

MR. EWING: Let us cut out the lawyers. Who are the men who feel there is something they can report upon? Mr. MacKay and myself have brought out what evidence we could here and have placed it before the Committee. Now, if there is anyone else here who wants to make a report, let him do it.

MR. MACKAY: If the report is not going to be binding upon anybody it would not matter.

MR. WEIR: If it is not going to bind anybody why not have this committee? I seriously object to delegating my authority on this Committee to anybody. This Committee was specifically appointed for the purpose of bringing in a report on this matter and should do what it is told to do and bring in the report. We do not want any sub-committee, we want this Committee to bring in this report.

MR. MACKAY: It will be submitted to them.

MR. HOADLEY: Before that motion is put to the Committee—I do not think it is fair, this question of bringing in a suggestive report, and that suggestive report will undoubtedly get into circulation, whether it is agreed to by this Committee or not, and it will have a certain effect and I think when anything is brought in to the Committee it should be conclusive. I do not think——

MR. MACKAY: I would not act on any committee to do that. You have to say——

MR. HOADLEY: Well, you bring in a suggestive report, and then that suggestive report is taken as the opinion of a select committee of this Committee.

MR. MACKAY: I think we can get the reporters to undertake that it won't be published.

MR. WEIR: Suppose it is not published. Then that adds one condition to the final finding in connection with this matter and I seriously protest against this Committee delegating its authority to a sub-committee to do anything. Let us all hang together or be hanged one by one.

THE CHAIRMAN: All in favor of the motion, please stand.

The motion was declared carried.

MR. WEIR: You have appointed a committee before you have taken the evidence. I understand there are two more witnesses to call.

MR. MACKAY: Is the motion passed?

THE CHAIRMAN: Yes.

Committee adjourns till 2 p.m.

2 p.m.—Committee resumes.

WILLIAM THOMPSON, called and sworn, testified as follows:

MR. WEBSTER: You were sent to the vendor's store when? A.—Some time around the 5th or 6th of November. I am not sure of the date.

Q.—Were you there on the 7th? A.—I was there on the 7th.

Q.—Is that your handwriting? (Referring to cash book). A.—Yes.

Q.—Were you there on the 8th? A.—Yes, sir.

Q.—And the 9th? A.—I was there on the 9th.

Q.—Those were all in your handwriting? A.—Yes, sir.

MR. MACKAY: Who were you employed by and how did you come to go there? A.—I was sent down by Mr. Burley to help out as the vendor's store at that time was very much understaffed on account of the work that was asked to be done.

Q.—There has been a cheque called in question of the Dominion Drug Company for \$463. Do you know anything about that? A.—I received that cheque, sir.

Q.—Let us see the cheque. (Produced). A.—This was handed to me on the 9th November.

Q.—In the morning or evening? A.—It must have been in the morning?

Q.—Why? A.—On account of the fact that my entries as cashier were fairly steady entries and there were only eight entries before the cheque and may be twenty-eight after.

Q.—And that is the cheque that is reported here under November 9th as being \$463? A.—Yes, sir.

Q.—You identify it? A.—Yes, sir.

Q.—Did you ever see that before? (Referring to Exhibit 1). A.—I did, sir.

Q.—That is Exhibit 1? A.—Yes, sir.

Q.—Is that your handwriting? A.—Yes, it is.

Q.—What does it say? A.—Filled November 9th, 1918.

Q.—What is the amount? A.—\$463.

Q.—Does it correspond with that cheque? A.—It does.

Q.—When were these goods delivered? A.—That I could not say, sir. I was not concerned with the delivery.

MR. WEBSTER: What did I tell you, Mr. Thompson, when I handed you the key of the cash box? Or, in other words, did you have the combination of the safe? A.—I had no combination to the safe. I had the key to the cash box.

Q.—And what did I say to you at that time? Can you recall it? A.—No, sir, I cannot, at the present moment.

Q.—Did I say to you that you were to let no goods go out except they were paid for? A.—Well, you may have told me that, sir. You may and you may not have, because as far as I was concerned, as an order was filled I was given this slip with the cash.

Q.—Which slip? A.—Any application that was given to me when filled and with the money. If the money was not there under no condition did I have anything to do with an application. Under no conditions whatever was an application given to me unless the cash was given with it. And immediately an application plus the cash was given to me I entered it in the cash book and put it in the cash drawer. One at a time, not a dozen at a time.

Q.—Then you entered that in the regular course on November the 9th? A.—I did.

Q.—What did you do with these forms? Did you copy them into any record or any book? A.—I don't know whether I copied this, but I copied so many thousands in these books.

Q.—Would you find November 9th there? A.—Here is the 9th. (Produced). That is an exact copy of this.

Q.—And you took that copy off on the morning of the 9th? A.—No, I won't say I did that on the 9th. I may have done it on the 10th.

Q.—That was Sunday? A.—Well, I may have done it on the 10th. I did not have time to enter this on the 9th. The pressure we were working at in those days by the time I had finished my cash and done what other things there was to do—in nine cases out of ten I took these home and entered them.

Q.—You took this day's work? A.—I would take the whole of what I had received as cash; anything that I had filed during the 9th of November and received cash for I most likely took home and entered the same evening into this book.

Q.—Under the date of the 9th? A.—No, the date that was here, under the date of the application, because I could not at that time.

Q.—Was it on the date of the application or the date it was marked filled? A.—The day it was filled—the day the cash was given to me—to be correct; because I would not deal with anything unless the cash was given to me. I was warned about taking any application other than with cash and I never did.

Q.—Did I warn you not to do that? A.—Somebody did. I would not take any application unless the cash was given me at the same time. And it was suggested that I put this on, by Mr. Binns. He was not satisfied with the system at all. And his suggestion was that as I received an application with the cash I marked it paid and put on "Cash book 41" which refers to that, to the page in the book. Previous to this they had been entered any old way and any time.

Q.—And this is a correct copy of that—of the file? A.—A correct copy.

MR. EORSTER: Your work apparently had to do with forms and entering up cash and cheques; nothing to do whatever with the shipping? A.—Nothing whatever.

Q.—You know nothing about that portion of the transaction at all? A.—As regards shipping, I never was off my seat, nothing whatever.

Q.—You did the bookkeeping? A.—The bookkeeping only; I took nothing whatever regarding shipping.

Q.—Those things were just put into your hands to enter up? A.—Yes. I had nothing to do with the shipping.

MR. DOUGLAS, recalled, testified as follows:

THE CHAIRMAN: You have already been sworn in this matter and are still under oath.

MR. DAVIDSON: When Mr. Forster mentioned this incident, did he mention it specifically; just that Mr. Boudreau had applied for liquor that one time—just that Mr. Boudreau had applied for liquor that one time or that he was in the habit of doing it? A.—He said nothing about him being in the habit. He said he understood it had been applied for, and just about then he made the remark I had better look into it.

Q.—When you mentioned it to Mr. Webster the next day did you mention it specifically or he had been in the habit? A.—No, the specific case.

Q.—Did Mr. Webster tell you he had paid for that liquor? A.—No.

Q.—Or did he say, "Here, to prove this, this is the cheque"? A.—No. He simply said it was paid for at the time.

Q.—He did not take you to the drawer and show you the cheque? A.—No.

MR. MACKAY: You did not ask to see the cheque? A.—No. He told me it was paid for.

MR. PEARSON: Did Mr. Webster give you any intimation at that time about the conversation with Mr. Downey? A.—No, that was not mentioned.

Q.—No further conversation took place? You just accepted Mr. Webster's word that it had been paid for? A.—Yes. The auditors were in charge of the work at the present moment transferring that stuff and I felt doubly sure if there was anything there it would be caught.

Q.—Mr. Webster did not refer—he did not resent the remarks as being an accusation on his way of doing business? A.—No. He was very emphatic in stating what had happened.

Q.—That he was not doing it? A.—Yes.

Q.—I thought it somewhat peculiar to accuse a man of something. I know if I were accused and was not guilty I would want to go further into the matter at the time, to clear it up. A.—I was not accusing. I asked if such and such a thing happened.

Q.—Well, it was akin to it.

MR. EWING: Did you mention Mr. Boudreau's name and ask if he got liquor? A.—Yes, I mentioned the specific incident.

Q.—Did you mention the amount? A.—If I remember correctly, I mentioned the amount.

Q.—But you are absolutely sure you mentioned Mr. Boudreau's name? A.—Yes, sir.

MR. MACKAY: Did you put it to him in this form—"A complaint has come to me," or did you simply ask him? A.—Yes, I put it in that way, that I had information that this had taken place.

MR. PEARSON: I would like to know definitely, did Mr. Webster resent or ask you why you were accusing him of that? A.—No, I did not notice anything like that.

Q.—He did not ask you for a statement why you should talk to him for doing such a thing? A.—No.

Q.—He had been in the business much longer than you had and naturally would be surprised, I imagine, to hear it? A.—No.

WILLIAM THOMPSON, recalled, testified as follows:

MR. EWING: Who handed you that cheque, Exhibit 4? A.—That may have been handed by Mr. Webster or Mr. Downey, if he happened to be there, or Mr. Rudd, anyone.

Q.—Have you any recollection on the point yourself? A.—No.

Q.—Would it be anyone outside the store? A.—No, it would be one of the three. The next entry is Mr. Rudd for \$425. He would personally give me that with the application.

Q.—He was an employee? A.—Yes, he was assisting at the time.

MR. DOWNEY: On the afternoon of the 8th, you remember me being in the store? A.—You were there a number of days around there.

Q.—On the afternoon of the 8th you remember Mr. Boudreau being in the store? A.—I do not remember that he was there on that specific date. He was there every day, I think.

Q.—You do not remember him being there on the 8th? A.—I do not.

Q.—Did you see him there on the 8th? A.—I do not recall that he was there on the 8th.

Q.—Do you think in your experience in the store—the days you were in there—that it would be possible for those goods to be put up at the closing hour and the application come down at the same time as the cheque and you would treat that as business of the 9th? A.—That is, the goods may have been put up when?

Q.—Put up on the evening of the 8th? A.—If so, if they were put up on the evening of the 8th, the cheque was not given to me on the 8th.

Q.—Would you swear that they were not paid for on the 8th? A.—I would swear that the cheque was not handed to me until the 9th.

Q.—Do you think it would be possible for that to be there and you as cashier of that establishment and not get that cheque on the 8th? A.—Well, I am quite certain—I do not quite take your question—but under no circumstances whatever was that cheque given to me on the 9th of November.

Q.—Now, do you remember on Saturday afternoon leaving the vendor's store? In whose company were you? A.—Yes, sir, I remember coming down the hill here with you in my own car.

Q.—You drove me in your car? A.—Yes, I came down for application forms.

Q.—And Mr. Forster gave them to you? A.—No; he gave them to you and you gave them to me.

Q.—I asked him for you because I seemed to know the ropes. Do you remember what you had in your arm wrapped in paper? A.—Yes, I would most likely have a pile of those.

Q.—How many days would you think you had then? A.—Three.

Q.—You would not have the 9th; therefore you would have the 8th, 7th and 6th? A.—Most likely I would have 4th, 5th, 6th, 7th and 8th because I entered 4th, 5th and 6th at the request of the auditors as quickly as possible. I worked the whole of Sunday on them in order to let the auditors have them in order that the transfer might be made as quickly as possible.

Q.—You recall writing those up on Sunday. You said you were going to do it at home? A.—I did not write them up on Sunday at home.

MR. WEBSTER: Then if you took them home you would take this home too, Exhibit 1, November the 8th—the business that was done on the night before, would you? A.—I would not take that application home on the 8th, not according to that writing.

Q.—But you would take it home on the 9th. You deposited some money, did you? A.—Two or three times.

Q.—You know your own writing there better than I do. I do not know your writing. A.—This is my writing.

Q.—See if you deposited that cheque, and when?

MR. EWING: The evidence is it was deposited on the 13th.

A.—I did not deposit that cheque.

MR. WEBSTER: It is in your handwriting? A.—No, sir, it is not.

Q.—Whose handwriting is that? A.—It is not mine.

Q.—Do you know whose it is? A.—No; I was taken sick on the 11th.

Q.—Is that the deposit slip? A.—Yes.

Q.—It is already sworn to by Binns? The whole slip is sworn to by Binns?

MR. EWING: Of course, Mr. Webster is not under investigation in this matter. I think Mr. Forster and Mr. Boudreau should be permitted to ask the witnesses any questions they like. I do not see why Mr. Webster, who is an employee, should question a fellow employee.

MR. MACKAY: A strict rule is that only members of the Committee should ask questions here. But we have not adhered to that. Mr. Webster is the only man who is being investigated and I think he should be allowed.

THE CHAIRMAN: They all asked questions.

MR. DOWNEY, being recalled, further testified as follows:

MR. WEBSTER: What capacity in the government are you in at the present time?

A.—Provincial Pool Room Inspector.

Q.—Did you hold any other position prior to that? A.—I was acting for a while——

Q.—Acting what? A.—I was Acting Vendor in the Calgary store for some time.

Q.—Who sent you there? A.—I don't know whether Mr. Cross sent me there or Mr. Forster; perhaps Mr. Forster. The way I was sent in this regard—Dr. McDougall took sick and the vendor's store was closed for a day and I got a telegram to go to Dr. McDougall's residence and get his keys and I went up to his room.

MR. MACKAY: Telegram to whom? A.—I believe it was a telegram from the department, might have been a telephone message.

Q.—But from whom? A.—I would take either instructions from——

Q.—If you know, say so? A.—Well, I don't know.

MR. WEBSTER: You would not say you got the telegram or the 'phone message from Mr. Forster? A.—Just as probable as not.

Q.—Mr. Forster and you were always on very friendly terms, were you not? A.—Not always.

Q.—Any disagreement? A.—There was.

Q.—Was it in relation to this matter at all—to your business in Calgary? A.—No; except things were a little tensioned between Mr. Forster and myself when these very same things happened.

Q.—Then you were not always on such extra good terms as the public friend says you were, for thirty-five years? A.—For thirty-five years, with the exception of a few weeks, yes.

Q.—And how long were you acting as Acting Vendor in Calgary? A.—I do not know, but the records will show.

Q.—Well, you ought to know within a year? A.—I will get the records if you choose.

Q.—We will take your word for it. A.—No, I do not know.

Q.—And while you were there you had charge of everything, had you, in the vendor's store?

A.—Of the selling end of it, yes.

Q.—From whom did you take instructions about selling? A.—Mr. Forster.

Q.—He was the chief inspector? A.—He was.

Q.—And you took instructions from Mr. Forster. Regarding the books that you had there—what books did you have there to keep records in? A.—I had this book here, and I made a monthly report; that was the book. (Referring to book on table).

Q.—The law required you? A.—Yes.

Q.—And in taking application forms from the different customers, did you do it on the same form as those? A.—I did.

Q.—And did you ever take any cheques? A.—I did.

Q.—And money orders? A.—I did.

Q.—Post office orders? A.—Yes.

Q.—And cash? A.—Yes.

Q.—Did you always have every cheque marked accepted? A.—No.

Q.—You did not? A.—No.

Q.—You did it exactly as I have been doing it, under instructions from Mr. Forster? A.—Yes, sir.

Q.—You did it exactly as I have been doing it? A.—Yes.

Q.—And you have been here all the time during this investigation has been going on and you recognize—— A.—Just a moment, Mr. Webster. I want Mr. Webster to throw his mind back to the instructions he got out of his Department on the 9th with regard to nothing but accepted cheques. I will ask you a few things right here.

Q.—Answer my question? A.—I will be the questioner for a little time, too.

THE CHAIRMAN: You ask him a reasonable question and we will get to this thing.

MR. WEBSTER: Then you were working under instructions from Mr. Forster? A.—Yes, sir.

Q.—And you did as he told you? A.—We ran the vendor's store:

Q.—I did not ask you? A.—I have to answer it this way. It is the way I can answer it and no other. If you want an answer I will answer it.

Q.—Well, give me an answer. A.—We ran this vendor's store in Calgary in the manner in which we have just told you and when, usually and during the course of the day—we did it there, anyhow—when we wrote out one of these forms, Mr. Webster, they were not piled up for six days. During the course of the day I kept that book up, which I am prepared to swear to.

Q.—And in case you were doing the volume of business that I was doing on the 4th, 5th, 6th, 7th and 8th November, could you have written that up and done the business too? A.—I could, too, because I would have bossed the job. Who was running the floor the days I was in the vendor's store down there?

Q.—I thought you were. A.—Who ordered the liquor out of Mr. Forster's stock?

Q.—I did not.

MR. WEIR: Who is the witness here?

MR. WEBSTER: You took full charge when you were here.

THE CHAIRMAN: If you have a scrap between yourselves, get outside and scrap it out. I won't allow the members of the Committee to do this and I cannot allow the witnesses.

MR. MACKAY: Downey is the witness now. If Downey wants to be questioner when he gets through, it is all right.

MR. WEIR: Answer the questions briefly, no speeches on either side—just question and answer.

MR. WEBSTER: You took full charge during the days you were there? A.—On the floor I ordered the men around and told them what to do—yes.

Q.—And did you get any liquor from Mr. Forster? A.—I did.

Q.—Did you sign his receipt for it? A.—No; I left that up to you.

Q.—And how would I know whether you had ordered it or not? Did you tell me? A.—Well, I might not. I would most likely have walked back there and said: "Give me two more barrels of Scotch, Mr. Forster."

Q.—Without my knowledge? A.—Yes.

Q.—You could have got all you liked from Mr. Forster without my knowledge, couldn't you? A.—Well, I suppose I could.

Q.—And still you were not the vendor at the Edmonton store? A.—No, I was not.

Q.—Did you take the responsibility on yourself on your own volition to act as vendor? A.—I never took any responsibility for one half-minute.

Q.—But still you ordered liquor? A.—Yes; I ordered the men to empty kegs and fill the jars which you had not enough to supply your customers with.

Q.—Then we will come to this particular time. You in your evidence in the first stated that Mr. Boudreau came to you at the end of the counter? A.—No; I would likely go to Mr. Boudreau. He was there.

Q.—He was on one side of the counter and you were on the other? A.—That's right.

Q.—What did he say to you? A.—I gave him a form and he asked me for the liquor and we filled out the form and I told him what he could have and when it came to the affidavit he could not swear to it and he said that would be done in the drug store.

Q.—And did you tell him anything more? A.—I told him I could not. I asked him, of course, for the money.

MR. PEARSON: This has all been gone over before. I would like a ruling on it now whether we are going to have it all re-hashed again.

THE CHAIRMAN: All that came out in evidence before.

MR. WEBSTER: When you told him you wanted the money, what did he say? A.—He said Mr. Webster arranged it that way, or words to that effect.

Q.—That Mr. Webster had arranged it for him? A.—Arranges it for him. I took it for

granted that he arranged it in the way that was suggested by me, that if necessary—and outside of being irregular the thing was very plausible, you see. Mr. Boudreau, we will say, comes into the store as you know, and he says, "What can we get?" because maybe you don't know whether you could give him Kilmarnock or Sandy Macdonald or what you could give him. And he says, "What have you got in bottled goods?" and you would say, "We have 10-year-old Sandy Macdonald and 20-year-old Sandy Macdonald," and he would say, "Give me so many of so and so," and then he says, "What can you give me in brandy?" and so on and it is added up and the transaction would be naturally completed if he would give his money, and there would be an end of it. At that time there was no question of marked cheques.

Q.—On what date was that? A.—That was on the 8th of November.

Q.—What time of the day? A.—It would be very close to four o'clock. There is a difference of opinion to a few minutes.

Q.—And you told Mr. Boudreau what? A.—I told Mr. Boudreau that I could not give it to him.

Q.—Anything else you told him? A.—After he said that about you I said that you may, that I can't.

Q.—Did you see him come to me? A.—No.

Q.—Where was I? A.—I rather imagine you were sitting at your desk. I would not swear where you were.

Q.—Did you come to me? A.—I did.

Q.—And what did you say? A.—I said he wanted to get this liquor and I said explained the circumstances and you said that would be all right.

Q.—I said that would be all right? A.—Yes.

Q.—And would be all right for him to get it? A.—Yes.

Q.—And what did you do? A.—I likely put it up.

Q.—Who told you to put it up? A.—I took it for granted.

Q.—Who told you to put it up? A.—I suppose you did.

Q.—Hold on now! A supposition won't do here.

Q.—Will you swear positively I told you to put that liquor up and give it to him? Look at me in the eye! Don't look corner-ways! A.—I would swear, Mr. Webster, that I went over to you and told you the circumstances and you gave me the impression that I was to go and put it up. I swear positively to that, Mr. Webster.

Q.—And what did you do? A.—I put it up.

Q.—Did you put it up or some of the men? A.—I put up most of it. I put up the heavy stuff. I put up the Sandy Macdonald.

Q.—About how long would it take you to put it up? A.—It would only take me four or five minutes to pile that stuff up.

Q.—And you said there were no jugs? A.—No, I said there might have been also bottled goods that I put over the counter.

Q.—How long would it take to put up five gallons of Scotch into jugs? A.—My dear sir, I was on the job and had it in the jugs; we didn't have to go to barrels.

Q.—What kind of liquor did you have in jugs? A.—There was a man, you will remember you took him off the job.

Q.—I did not ask you that? What kind of liquor?

MR. WEIR: What is all this fiddling and wrangling about?

MR. WEBSTER: You said you gave the liquor that evening? A.—I said I gave the Sandy Macdonald, and I might have put out bottled goods and I might have put that over the counter.

Q.—Was there an order for it to be filled that same day before? A.—Oh, I think.

Q.—I see an order of the 7th? A.—I think there were orders a great deal more than that to be filled, by a long odds.

Q.—But of Mr. Rowlands'? A.—Oh, I don't know.

Q.—Do you know if he got any on the 7th? A.—No.

Q.—Will you swear he did not? A.—Oh, no.

Q.—Will you swear you did not deliver him goods on the 7th? A.—No, I would not swear.

Q.—If anybody swears that you did do it, would he be wrong? A.—I don't doubt but what he would be correct.

Q.—Yes, you don't doubt but what he would be correct. That is all I want.

MR. MACKAY: Since I moved that resolution in the morning—I did that rather hurriedly—my idea was that if we had a sub-committee that could not agree, that would not agree that there would be very little hope of the whole Committee agreeing—the Committee is not evenly balanced, and I would move that resolution be rescinded and Mr. Ramsey, Mr. Ewing, Mr. Ebbett and myself be the committee, and if we cannot agree I do not suppose the whole Committee will agree, but it will kind of balance the Committee. I would move that it be substituted.

THE CHAIRMAN: Is that agreed to, gentlemen?

(Motion declared carried).

Committee adjourns till Monday, March 31, 1919, at 10 a.m.

MONDAY, MARCH 31st, 1919.—COMMITTEE RESUMES AT 10 A.M.

MR. EWING: The sub-Committee will report.

THE CHAIRMAN: We will hear the report of the sub-Committee that was appointed.

MR. MACKAY: We are in this position in reporting. The evidence is not extended. The reporter says it will take about five days and if there is to be a discussion it is pretty difficult to intelligently and accurately discuss the question without the evidence before us and therefore the Committee thought better to report generally and reserve the right to any member of the House to bring the matter up when the evidence is filed. The report provides for that. The adopting of the general report that we put in is not to cancel in any way the right that any member of the House will have as soon as the evidence is available by ordinary notice of motion to bring up any discussion of any kind that the rules allow. If we were to go on with a discussion today each member would be speaking from memory and I do not want to be forced into that position myself. Others may; but I cannot carry every word that every witness says and I think all members of the Committee are in the same way. When the evidence is all before the House, then it can be discussed in a thorough and orderly manner in the House by any member. That is the purport of this report and we are agreed that is the better way to do.

This particular investigation is referred to the Public Accounts Committee not acting in the usual way and therefore, technically, if a general discussion came up on a matter that is taken by the whole of the Public Accounts Committee objection might be taken that this particular part of the evidence only referred to that. We thought it might expedite matters and save going over the general evidence again if we recommend that this evidence serve the purposes of this particular enquiry and also consolidate it as part of the whole Public Accounts work. We tried to facilitate matters and leave wide latitude for discussion.

(Report read):

"Report of the Special Investigation held by the Standing Committee on Public Accounts, "as to certain matters referred to the Committee on the 21st day of March, 1919.

"On the 21st day of March, 1919, the House instructed your Committee to investigate the truth or falsity of the statements of Mr. Forster contained in the following portion of a letter:

" 'On Friday afternoon, the 8th instant, when our mutual friend, the member for St. Albert, " 'who was not a 'privileged person' within the meaning of the Liquor Act, purchased in the " 'Vendor's store some Four Hundred Dollars' worth of liquor and, after delivery being refused " 'without payment by one employee he was allowed to remove the liquors from the store without " 'payment. I think the transaction involves two infractions of the Liquor Act. I happened " 'to be in the store with two auditors, turning over the stocks to my successor in office. A person " 'would have to be both lacking in honour and recreant to the duties of office to condone and " 'palliate the doing of Government business along such lines.'

"Your Committee has taken the evidence of the following witnesses:

"Mr. M. M. Downey; Mr. M. J. Rowland; Mr. R. B. Douglas; Mr. W. J. Webster; Mr. F. G. "Forster; Mr. J. H. Binns; Mr. Wm. Thompson, and Mr. H. H. Richards, being all the witnesses "who presented themselves for examination or who were called by the Committee.

"The evidence is not yet extended, and therefore your Committee deems it advisable to report "its investigation generally to the House, and that the evidence, when extended, shall be filed "with the Clerk and form part of this report.

"Your Committee further recommends that the evidence when so extended and filed, in "addition to being part of this special report, shall be considered as forming part of the general "evidence taken in the ordinary way before the standing committee on Public Accounts, and "will therefore be printed as part of the evidence taken by that Committee.

"In view of the fact that the evidence is not yet extended, your Committee recommends "that this report be made subject to the right of any Member of the House, when the evidence "is so extended and filed, by notice of motion to bring on a full discussion.

"Dated at Edmonton, Alberta, this 31st day of March, 1919."

MR. MACKAY: I move that this be this Committee's report to the House.

MR. EWING: I second the motion. It seems to me to be a fair way of dealing with it now. I think Mr. Mackay is quite correct, that if we are going to discuss it we ought not to discuss it from our memory of the evidence, and, after all, there is no necessity of having two discussions, one in the Committee and one in the House. And what we will do is to report this evidence to the House without a finding and when it is extended, then any Member can bring it up by notice of motion, and discuss it.

MR. BOUDREAU: I am greatly surprised at the report of this Committee, and the report of this Committee as a whole to the House. This Committee was instructed to go into the charge against me by Forster, whether the charge was false or true. We have been spending a week, sir, on this to find out whether I had obtained liquor on credit or cash on the 8th November. This Committee has worked on it and they are not any more ahead than they were when they started according to the report. According to the report from this Committee to the House, they are not any further ahead. If you had stayed within the Order of the House to investigate simply the charge of Forster in this letter, it could be investigated in about three hours, and you could have come to a conclusion and I say that this Committee has been very unfair to me; very unfair to me.

MR. EWING: I do not think that is a proper statement to make, and——

MR. BOUDREAU: Whether I have to retract it or not, I believe it, anyway. And there is no reason—there is only a political reason—and there has been engineering against me during the whole investigation. I have not talked to one member of the Government or the Legislative Assembly and I stood on my own ground, and I say if you had stayed within the Order of the Legislative Assembly you could have got through it in three hours.

MR. MACKAY: This Committee is desirous of not mixing this investigation up with the general investigation. This Committee is making a general report, making all the evidence part of its report, and when that is extended and filed, then, if any discussion is desired, why then we can reasonably do it.

MR. BOUDREAU: Who is going to report?

MR. MACKAY: We are simply investigating and we cannot find on the facts without the evidence.

MR. BOUDREAU: Everybody knows it; there is no evidence against me.

MR. MACKAY: I do not think Mr. Boudreau need worry about it.

MR. BOUDREAU: This Committee, I maintain, is not doing its duty.

THE CHAIRMAN: I think you are wrong there.

MR. BOUDREAU: Well, it is a difference of opinion.

THE CHAIRMAN: This Committee could not bring in a finding without having all the evidence. The reporter says it will take five days to extend the evidence.

MR. BOUDREAU: The public has its mind made up whether I am guilty or not. But I think the joke will not be on me but on this Committee.

MR. WEIR: We will take the responsibility of assuming the report.

THE CHAIRMAN: Are you agreed to adopt this report?

(Report thereupon declared adopted.)

After evidence had been heard by the Public Accounts Committee in matters outside of this investigation:

MR. BOYLE: There is a matter I would like to bring to the attention of the Committee. I understand that with respect to—I was not in the Committee myself—but in respect to the investigation that was ordered by the House in regard to statements that were made, there was a question as to whether or not a member of the Legislative Assembly had improperly obtained liquor from the Vendor's store and whether he had bought it on credit or had paid cash. It has been under investigation for some time. I understand the Committee were not going to bring in a verdict on the facts in connection with this matter. Now, I would like to point out that in so far as my Department is concerned that, outside of the question of the member of the Legislature altogether, it involves the question as to whether an official of my Department had been guilty of gross violations of the law or not. Now, I think that in fairness to the Minister in charge, that the Committee ought to bring in a verdict. Because if the statements are true, as stated by Mr. Forster, then Mr. Webster is guilty of an offence and should be dismissed from the service; and if they are not true, then I suppose there is no reason for dismissing him on that account. But in fairness to the head of the Department, I think the Committee ought to make a finding on the evidence in that respect. The members of the House can hardly be expected to make a finding on the evidence when they have not heard the witnesses. The Committee is the party to make a finding on the evidence. The matter of delay I do not think is so very important. It may be important in so far as the member for St. Albert is concerned; I have nothing to say in respect of that. The member will have to speak for himself in questions of that kind. But in so far as my Department is concerned, there is an official of the Department charged with improper conduct; the whole matter was referred to the Committee, and I think, in fairness to the head of the Department, the Committee ought to make a finding so that I will know what action I ought to take under the circumstances. That is the way I look at it and it appears to me the Committee ought to delay their report until the evidence can be extended and then make a finding in accordance with their views of the facts in the case.

THE CHAIRMAN: You were not here when the Sub-committee presented their report to this Committee this morning?

MR. BOYLE: I understand that. But my position is this, that in so far as the official in my Department is concerned and who has been charged, I think, in fairness to the Department, that I ought to know what the finding of this Committee is. That would settle the question in my mind as to whether or not the official should be dismissed or whether he should not, in connection with these charges. As far as delay is concerned, I think it is only a matter of delay, because I think that whether the finding is made now or whether it is made when the notes are extended, I think the Committee ought to make a finding. The Committee having heard the evidence ought to make a finding on the facts in accordance with the evidence that has been given before them. I do not happen to have the advantage of being a member of this Committee present at the proceedings, but I think I have a right considering that an official of the Department is charged with gross violations of the Act to say that the Committee ought to make a finding so that I will know what action I should take with respect to that official. I am not here to protect officials or anything of the kind. If the Committee makes a finding that the official charged has been guilty of misconduct, then it is my duty to deal with him.

MR. BOUDREAU: I only have one word to say. I stated on the floor of the House that I would resign my seat and go home and get out of the province if I was found guilty of the charges. This Committee has accepted the duty of rendering a verdict against me or in my favour, and I say that you are not doing your duty when you are not giving a verdict whether a charge against me is correct or incorrect. All I want is fair play and British justice. That is all I want.

DR. STATE: The subject has been pretty well covered. I consider this Committee has intelligence sufficient to settle this question before reporting to the House and I submit if we have not got the evidence we should wait until we get the evidence to settle this question, before reporting; and I therefore move that this question be re-considered and that the report of the Sub-committee be left on the table until we have the evidence printed to discuss this matter in the Committee.

MR. TOBIN: The report was brought in this morning and moved and seconded very quickly. We had not time to think, but I feel very dissatisfied with the matter. I want to second the doctor's motion. I had not time to get on my feet. We were asked to postpone a decision until we got extensions of the stenographer's notes; therefore, the report should be likewise postponed. I want to second the doctor's motion.

MR. MACKAY: I would like to say I am not particular what is done with it, as a member of this Committee, and I do not want any member of the Committee to suppose that I am evading any responsibility of bringing in a report. I want that understood. I do not care who it affects; we are not obliged, by the wording of this reference to the Committee, to find facts. We are simply obliged to investigate and we have done that. That is what we are obliged to do, and I do not propose to take any statement or comment from anybody. I do not know but what they are doing the proper thing in sending it forward, but I am quite willing to wait until we have the evidence.

MR. BOUDREAU: I say the Committee are not doing their duty.

MR. MACKAY: The Committee are not shirking their duty and the four men on the Sub-committee are not men who are built that way; they are not afraid of their duty. And there is another point I had not thought of. If there is a finding to be made, the members of the Committee who saw the witnesses and saw their demeanour and heard the whole thing, are in a better position than the members of the House. And I am willing to wait and rescind that resolution until we have got the whole evidence and then report on it. But that does not, of course, prevent a discussion in the House. And I will support Dr. State's motion.

MR. EWING: I have nothing to say except this—I have nothing to add to what Mr. MacKay says. I did propose to resent the remarks made by the Honourable member for St. Albert that this Committee was not dealing out British justice to him or anyone else. This Committee met and worked in good faith. Further, there is this about the proposal just now. It will mean a discussion here in this Committee, probably a very full discussion and it will probably mean another discussion on the floor of the House. We had thought—

MR. MACKAY: That is the thing we were trying to avoid, but we had better have it.

MR. EWING: I want to say one thing, with reference to the remarks made by the Attorney General. I think he is mistaken in regard to the views he takes. We were not investigating the conduct of an employee of the Department. The questions were not directed to finding out whether or not he had failed in his duty. And even though there may be different findings of fact I do not think any of them will impugn Mr. Webster's conduct of his office more than having done something which perhaps, although contrary to the law, will necessarily involve a dismissal at all. We are not deciding whether he ought to be dismissed. We are not recommending to the Attorney-General he should be dismissed. Neither do I think this Committee will make any finding with reference to Mr. Webster, that he has been guilty of any violations of the Act and even if we did that is not the essential purpose of this Committee. And I do not think that should influence our conduct of the matter.

MR. BOYLE: I think the member for West Edmonton probably realizes my position, that on whatever findings this Committee makes the public would, I think, expect me to decide with respect to the conduct of the particular official and that is a matter that has been discussed before this Committee at considerable length and it has been published in the newspapers.

MR. MACKAY: I think you are taking it a great deal more seriously than the public are.

MR. BOYLE: Perhaps so. Well, I think it is a good thing for a Minister to take seriously a matter of this kind when an official of his Department is charged with doing something not in the public interest and I think such Minister ought to listen carefully to the finding on the facts the Committee might make.

THE CHAIRMAN: I will read the motion: "Moved by Dr. State, seconded by Mr. Tobin, that the report of the Sub-committee be considered and laid on the table until the evidence is available to discuss the matter in this Committee."

Motion declared carried.

EXHIBIT 1

Form B—Sections 12 and 13

PROVINCE OF ALBERTA

Department of the Attorney General

Administration of the Liquor Act

Pd
CB 41

Application for Liquor by a Druggist or Physician

To the Government Vendor, _____ Nov. 8 _____ 1918
_____ Alberta.

Filed Nov. 9-18

I, _____ M. Rowland _____, the undersigned, being a properly
qualified and duly registered _____ within the meaning of
(Profession)
The Liquor Act, hereby make application for :—

QUANTITY	KIND OF LIQUOR	BRAND OF LIQUOR	Cash Enclosed for this Order
5	Alcohol		47 50
5	Alec Macdonald 10 year		165 00
2	" " 20 year		84
5	Draft Scotch		75
3	Ord. Rye		16 50
5	Brandy 17		75 00
			463 00

and MAKE OATH AS FOLLOWS:

That the liquor applied for as above is required only and solely for the purposes authorized
by The Liquor Act, and is to be used as follows: _____

and that the said liquor is to be used by _____ me _____ at _____ Edmonton _____

that the said liquor is not intended to be used as a beverage, nor to be mixed with any other liquid
for use as a beverage; that it is not to be sold or given away otherwise than as is permitted by
The Liquor Act; and that no other application has been made to, or filled by, a Government
Vendor upon this Application form, or on this affidavit.

Sworn before me at _____ Edmonton _____

Alberta, this _____ Seventh _____

day of _____ Nov. _____ 1918 _____

Signed by the applicant at _____ 4 _____ o'clock

_____ M. J. Rowland _____

Applicant.

_____ Lucien Boudreau _____

Commissioner for Affidavits.

NOTE:—

Officer taking the oath will cross out commissions not held by him.

Liquors can be sold by Vendor for CASH ONLY. Send cash, marked cheque, P.O. Order
or Express Order. Register letters containing cash.

Express Orders packed carefully. Loss or breakages in hands of common carriers at pur-
chaser's risk. No C.O.D. orders can be shipped.

EXHIBIT 2

Form B—Sections 12 and 13

PROVINCE OF ALBERTA

Department of the Attorney General
Administration of the Liquor Act

Application for Liquor by a Druggist or Physician

To the Government Vendor,
Edmonton Alberta. Nov. 8 1918

I, M. J. Rowland, the undersigned, being a properly qualified and duly registered Pharmacist within the meaning of The Liquor Act, hereby make application for :—

QUANTITY	KIND OF LIQUOR	BRAND OF LIQUOR	Cash enclosed for this order
5	Gal. alcohol	9.50	47 50
5	Macdonald 10 years		165
2	" 20 "		84
5	Gal. Scotch		75
3	Ord. Rye		16 50
5	Brandy		75 00
			463.00

and MAKE OATH AS FOLLOWS:
That the liquor applied for as above is required only and solely for the purposes authorized by The Liquor Act, and is to be used as follows:medicinally
and that the said liquor is to be used by Dom. Drug Co. at Jasper and 104th Edmonton
that the said liquor is not intended to be used as a beverage, nor to be mixed with any other liquid for use as a beverage; that it is not to be sold or given away otherwise than as is permitted by The Liquor Act; and that no other application has been made to, or filled by, a Government Vendor upon this Application form, or on this affidavit.

Sworn before me at Edmonton Alberta, this Seven day of November 1918. Signed by the applicant at 5 o'clock M. J. Rowland Applicant.

Government Vendor,
Justice of the Peace,
Magistrate;
Commissioner for Affidavits; or
Notary Public.

NOTE:—
Officer taking the oath will cross out commissions not held by him.
Liquors can be sold by Vendor for CASH ONLY. Send cash, marked cheque, P.O. Order or Express Order. Register letters containing cash.
Express Orders packed carefully. Loss or breakages in hands of common carriers at purchaser's risk. No C.O.D. orders can be shipped.

EXHIBIT 3

Form B—Sections 12 and 13

PROVINCE OF ALBERTA

Department of the Attorney General
Administration of the Liquor Act

Application for Liquor by a Druggist or Physician

To the Government Vendor, _____ 14 Nov. _____ 1918
_____ Alberta.

I, _____, the undersigned, being a properly
qualified and duly registered _____ within the meaning of
The Liquor Act, hereby make application for :—
(Profession)

QUANTITY	KIND OF LIQUOR	BRAND OF LIQUOR	Cash enclosed for this order
5	Gal Brandy	@ 15	75 00
20	Ord. Rye	@ 5.50	110 00
10	Alcohol	@ 9.50	95 00
2	Cases Rye Corby's Majestic	@ 1.75	42 00
6	Bottles King Edward	@ 3.50	21 00
			343 00

and MAKE OATH AS FOLLOWS:
That the liquor applied for as above is required only and solely for the purposes authorized
by The Liquor Act, and is to be used as follows: _____ C O P Y _____
and that the said liquor is to be used by _____ at _____
that the said liquor is not intended to be used as a beverage, nor to be mixed with any other liquid
for use as a beverage; that it is not to be sold or given away otherwise than as is permitted by
The Liquor Act; and that no other application has been made to, or filled by, a Government
Vendor upon this Application form, or on this affidavit.

Sworn before me at _____ Signed by the applicant at _____ o'clock
Alberta, this _____
day of _____ 19 _____
M.-J.-R.-O.-W.-L.-A.-N.-D.-S-
Applicant.
Government Vendor,
Justice of the Peace,
Magistrate;
Commissioner for Affidavits; or
Notary Public.

NOTE:—
Officer taking the oath will cross out commissions not held by him.
Liquors can be sold by Vendor for CASH ONLY. Send cash, marked cheque, P.O. Order
or Express Order. Register letters containing cash.
Express Orders packed carefully. Loss or breakages in hands of common carriers at pur-
chaser's risk. No C.O.D. orders can be shipped.

EXHIBIT 4

EDMONTON, Alta., 7 November 1918

THE ROYAL BANK OF CANADA

Edmonton Branch

PAY.....*Mr. Webster, Government Vendor*.....*Order*
or -B-e-a-r-e-r--

.....*Four Hundred and Sixty-three*.....Dollars

\$463.00

The Dominion Drug Limited
per Lucien Boudreau.

(Endorsed: *W. J. Webster, Vendor*)

EXHIBIT 5 (Sketch)

Exhibit 5 purporting to be floor plan of Vendor's store.

EXHIBIT 6 (Sketch)

Exhibit 6 purporting to be Vendor's portion of the premises as re-modelled.

EXHIBIT 7

Alberta Govt. Liquor Vendor's Acct.

Exp. Order Gaetz.....	47.50	Grayden.....	27.
" Wainwright.....	35.50	Campbell.....	28.02
" Gaetz.....	17.50	Mooney.....	36.50
" Shea.....	1.25	Connell.....	8.25
" Gaetz.....	23.00	Lines.....	42.
Ch Mooney, City.....	50.	Jasper Phar.....	23.25
City D. Co.....	5.	Duncan.....	4.75
Cull.....	33.	Archibald.....	86.50
York.....	10.	".....	122.75
York.....	50.	Owl.....	33.
York.....	13.50	Thompson.....	35.
York.....	50.	Archibald.....	35.
Postal Note.....	.50		
" ".....	4.	For'd.....	\$2,370.17
P.O. Order Red Deer.....	6.		
Castor.....	3.	For'd.....	\$2,370.17
Vegreville.....	48.50	Archibald.....	144.
Sedgewick.....	6.00	Bethwell.....	25. Exchg.
".....	3.50	Jasper Phar.....	33.25
Mirror.....	67.	Graydon.....	23.50
Camrose.....	13.	Smith.....	36.
do. ..	100.	Sissons.....	31.
For'd.....	\$587.75	McCallum.....	6.50
		McGibbon.....	8.50
Govt. Vendor		Lines.....	40.50
Brt. For'd.....	\$587.75	Duncan.....	12.02
Sedgewick.....	26.25	Campbell.....	21.52
Bawlf.....	18.	Norwood Phar.....	25.
Tofield.....	6.	Harvey.....	22.25
Stony Plain.....	15.	Brown.....	7.02
Kitscoty.....	12.	Graydon.....	9.00
Killam.....	24.	Owl.....	113.50
Holden.....	48.	Cowles.....	21.
Wainwright.....	35.50	Wilson Phar.....	9.50
Forestburg.....	25.	".....	193.02
Halkirk.....	35.50	Northern.....	191.
Ryley.....	21.50	Smith.....	72.25
Alliance.....	12.	Hogarth.....	53. Exchg.
Bawlf.....	20.	For'd.....	\$3,468.50
Provost.....	35.50		
Wood.....	21.15 Exchg.	Brot. For'd.....	\$3,468.50
Stromach.....	20.	Sutherland.....	126.
Connell.....	47.50	Somers.....	31.
Smith.....	11.	Johnstone.....	35.
Lines.....	14.25	Bird Drug.....	83.50
Jasper Phar.....	8.25	Cowles.....	43.
Connell.....	45.50	Northern.....	144.65
Thompson.....	18.50	Imp. Bk. Peace R.....	60.
Owl Drug.....	132.	do.	60.
For'd.....	\$1,240.15	do.	60.
		do.	60.
Brot. For'd.....	\$1,240.15	Lines.....	8.50
Grayden.....	32.25	McCallum.....	33.
Norwood.....	31.50	Grinsart.....	4.25
McCallum.....	28.00	Lines.....	40.25
Mooney.....	60.00	Dominion.....	20.75
Cook.....	5.50 Exchg.	Campbell.....	32.27
Morris.....	24.	Graydon.....	45.
N. American.....	17.25	Northern Collieries.....	31.
Dom. Drug.....	319.	Norwood.....	51.50
Curtell.....	61.50	Smith.....	42.
Smith.....	69.	For'd.....	\$4,480.17

EXHIBIT 8

Brot. For'd	\$4,480.17	Norwood	25.50
Lines	27.75	Dom. Drug	45.
Meson Phar.	25.	Morris	67.50
Hassard	9.50	Wilson	82.02
Sutherland	141.	McCallum	37.50
Jasper Phar.	18.50	Fleming	12.
Archibald	141.	Smith	51.
Mooney	114.	Cawkins	36.
Owl	77.75	Morris	16.50
Mitchell	53.25		
Graydon	49.50		\$7,179.44
Dom. Drug	372.		
Do.	12.	Brot. For'd	\$7,179.44
Duncan	11.	Campbell	22.52
Thomson	42.50	Cuthill	13.
Morris	40.50	31 31 Owl Drug	10.50
Owl	130.50	Graydon	19.
Gray	9.50	Switzer	44.
Mooney	180.25	Gumont	4.
Jasper Phar.	107.75	4 40 Sutherland	93.
Owl Drug	78.	Norwood	13.
		Dom. Drug	352.25
For'd	\$6,121.42	Duncan	21.50
		Duncan	10.
Brot. For'd	\$6,121.42	71 Thomson	2.50
Archibald	147.	McKenzie	55.90
Smith	85.	Hanson	31.
Johnston	92.50	Long	44.50 Exchg.
Sissons	26.25	Sissons	9.75
Jasper Phar.	60.75	Exp. order Shaw	37.
Lines	79.75	818036 Shaw	50.
Peace Drug	135.75	Shaw	17.50
Brandeure	3.	Shaw	50.
Brandine	3.	825136 Shaw	50.
do.	3.	Shaw	50.
Harvey	5.25		
Sissons	43.75		\$8,180.36
			W. J. Webster.

EXHIBIT 9

THE ROYAL BANK OF CANADA

EDMONTON, Alta., March 19th, 1919.

L. Boudreau, M.P.P.,
Edmonton, Alta.

Dear Sir,

Dominion Drug Ltd.

Replying to your request, I beg to advise you that the balances at credit of the above company's account on the undermentioned dates were as follows:

Nov. 1st	\$1,222.59
2nd	1,487.78
4th	547.85
5th	966.55
6th	1,200.60
7th	1,517.39
8th	882.69
11th	648.19
12th	2,283.28
13th	2,501.18
14th	2,518.16

I might also add that the company had a line of credit of \$2,000, which was not availed of at any time during the above period.

Yours truly,
J. F. McMILLAN,
Manager.

MONDAY, MARCH 31, 1919. PUBLIC ACCOUNTS COMMITTEE RESUMES
AT 10.30 A.M.

F. G. FORSTER, called and sworn, testified as follows:

To facilitate the work of this Committee, what I wish to say with reference to this whole matter I have typewritten here and I wish to read it.

MR. MACKAY: It will be understood, of course, in this investigation—we have done the unusual thing of allowing witnesses to examine each other and so on, but I suppose these witnesses will be examined in the usual way. We are back to our regular work now. We saw what became of allowing one witness to examine the other, the other day.

MR. EWING: You do not mean that Mr. Forster could not—

MR. MACKAY: Did you ask a question?

MR. WEIR: He suggested it would facilitate matters if he be allowed to make a statement.

MR. MACKAY: I think we had better do it in the regular way. These are all witnesses now and must be treated as such.

MR. EWING: You have been in the employ of the Provincial Government of Alberta. You were in the employ of the Provincial Government of Alberta for some considerable time?

A.—Yes, sir.

Q.—When did you enter its employ? A.—I think it was in the fall of 1911—in the spring of 1911.

Q.—In what capacity? A.—Well, first as license inspector for the district of Medicine Hat and adjacent country.

Q.—And then? A.—And afterwards as Chief Inspector for the province.

Q.—And you continued as Chief Inspector down until when? A.—Until the end of June, 1916.

Q.—That was when the present Liquor Act came into force? A.—Yes.

Q.—Then what office did you fill? A.—I think Chief Inspector.

Q.—And you held that office up till when? A.—Up until the 7th November I think it was.

Q.—As a matter of fact, you continued in the employ of the Government until some time after that, did you? A.—Oh, yes.

Q.—Until when? A.—Until about the 24th of December.

Q.—What were you doing, generally, from the 7th of November until the 24th of December? A.—Well, for about the first week I was assisting the auditors in transferring the stock to Mr. Douglas, both here and at Calgary. I think the first week—the 7th, 8th and 9th the work was done here, and I think in company with the auditors I was in Calgary on the 11th and 12th. And the work was done there at that time. After that I gave Mr. Douglas and his accountant whatever assistance I could in showing them all the details and books and work and papers and stuff and so forth in connection with the Department and also gave the auditors what assistance I could, that is, in the way of procuring papers and invoices and various things of that kind.

Q.—In your letter of November 5th, 1918, addressed to The Honourable the Attorney-General, you speak of the rotten conditions which have existed for the past two months? A.—Yes.

Q.—Will you explain to the Committee what you mean by that? A.—Well, these conditions consisted of several different phases in connection with the work. One was in connection with the procuring of sufficient help to properly carry on the office work and carry on the business.

Q.—Briefly, what have you to say about that? I do not want to take up too much time of the Committee with the elaboration of small details, but will you tell me what you had to make serious complaint about? A.—Well, I hadn't sufficient help and apparently I could not get it and I didn't get it.

Q.—And what was the result of not having sufficient help? A.—Well, the result of not having sufficient help had an effect both upon the business in the Vendor's store here and largely upon work in my office.

Q.—Speaking of the Vendor's store, what effect had it on the actual conduct of the Vendor's store? A.—Well, I think the work in the Vendor's store was beyond what the Vendor could reasonably do.

Q.—That is, you mean the Vendor had not sufficient assistance to do the work he was asked to do? A.—No, he had not, neither sufficient assistance nor I did not think he had the right kind of assistance.

Q.—Will you tell me how that affected the actual operation of the business? A.—Well, the business, as long as it was a reasonably small business, which it was for the first eighteen months, it was a very, very simple matter for the Vendor to conduct the business in the manner and under the instructions which he got at the outset. That is—I will be as brief as I can—there is one point I would like to emphasize, when the business started there was a system of forms adopted by order-in-council for use and a system of daily accounting, and my instructions to the Vendor both here and in Calgary was to make a daily balance and daily accounting of all their work—make out a daily report sheet, one copy of which they kept and one copy mailed to me, make a daily deposit in the bank and send to me a bank receipted copy of the deposit. So long as this was done it was impossible for the business to get away from me, as it were, or whoever was in the head office. That is, if the Government established a dozen concerns under that system I do not think any store in the province could be more than one day away—the business in the

store one day away from the Department in Edmonton. That is, you had a close check on it. At Calgary it had always been carried out that way up until a week or so before the dates we have under discussion on account of the 'flu epidemic.

Q.—When did it cease to be carried out that way in Edmonton? A.—I cannot just say as to the dates, but along during the fore part of the summer of 1918. The business gradually grew.

Q.—What have you to say particularly about the manner in which it was carried on after that? A.—Well, it was not carried on very well.

Q.—In what way? I just want to particularize; there is no use having generalities. A.—Well, the daily report sheets on a number of occasions did not come to me as they should. They would come at later dates and sometimes there would be two or three at a time at odd times and in that way it was quite impossible for me to know what was going on in the business as I should know.

Q.—Did you know of anything wrong going on in the business during that time? That is what I want to get at. A.—Yes, the daily report sheets given to me on different occasions showed shortages in the deposits and in the totalling and in the accounts. I drew this matter to Mr. Webster's attention by letter on one occasion on which there were three or four shortages and he made a special deposit in the bank of \$80 to cover this.

Q.—Have you a copy of that letter? A.—I have not but it will be on file in the Department.

Q.—Would the original letter be on Mr. Webster's file? A.—Well, of that—but I should think so.

Q.—When was that? A.—I would judge probably it would be in August or September.

Q.—Have you got your letters here? And Mr. Webster made the special deposit to cover up? A.—A special deposit of \$80 to cover that up.

Q.—The shortages? A.—Yes.

Q.—Where did the \$80 come from that was used to cover up the shortages? A.—I have no idea, I am sure.

Q.—Was it Mr. Webster's own funds or was it money that was taken from the sale of liquors? A.—Oh, I could not answer that. I know the money was deposited and I got a duplicate deposit slip and a special sheet of the daily record sheet.

Q.—Let me understand. You discovered a shortage amounting in all to \$80. Was it one shortage or several? A.—No, it would be three or four or five. I would not be sure.

Q.—The total amount of the shortages was \$80? A.—Yes.

Q.—And you drew it to Mr. Webster's attention by letter? A.—Well, I rather think so—yes, I think I did.

Q.—And as a result of that Mr. Webster made a special deposit? A.—Yes.

Q.—You have no idea where that money came from, have you? A.—No, I know it was deposited, that is all.

Q.—Anything else that you have to say that you know about in connection with this matter? A.—Well, I went through his daily record sheets rather minutely and I found that there were various transactions of a similar kind, as shortages and overages. That is, in the bank deposits some days there was a few cents over, as shown in evidence here—a little thing—but in the main I think there were about a dozen transactions involving about \$160 where there were shortages. I wrote Mr. Webster on the 5th of October and asked to have these matters straightened up and I also went to Mr. Burley, the Chief Auditor of the province, and took him down to the office and showed him my letter, I think, and showed him these various transactions. He spent probably three-quarters of an hour there and went into it and I told him that that thing could not go on, that is, I could not accept responsibility for that class of work, and I was drawing it to his attention as I thought it was my duty to do and as a matter of protection to myself. I also told him I had sent him—

Q.—Did Mr. Burley go down there? A.—I came to Mr. Burley's office first thing in the morning and explained the thing to him and asked him to go down and see these matters for himself and he went down with me.

Q.—And what happened down there? A.—Well, Mr. Burley went through these various matters to which I had drawn his attention. On each sheet where there was an error I had pinned a small slip and marked in blue or red pencil the amount of the error, and we went through each of these in turn. And I also told him that in the covering deposits for each day that the deposits did not have any particular bearing upon the previous day's transactions as they should if there was a daily balance; that there was a spread of cheques coming in one day were used to cover the deposits of two or three days previous and there was a general system of blanketing and covering up and he looked at the thing and he quite agreed with me. I do not care to speak of his remarks. Let him speak himself.

Q.—You say there was a system of blanketing and covering up? Explain that. A.—If there was a return, for instance, say the 4th of any particular month, there would be probably anywhere from ten to twenty to thirty or forty transactions. A number of these transactions would involve payments in cash, perhaps half or two-thirds. Others, perhaps a third or half, would be paid by cheque. Well, under the system inaugurated if it was carried out those cheques should be detailed against those particular purchases of that day and instead of that you would find that on a number of days although there were a number of sales there were none of these cheques deposited to cover that day's sales.

Q.—You mean that cheques received for other business had been used to—

MR. MACKAY: I suppose all these documents can be produced? A.—Yes.

MR. MACKAY: Well, we had better understand we can have the documents here and know what we are doing. A.—It will take a little time.

Q.—But that is the only way to get at it, you know? A.—This statement of mine bears out the statement in Mr. Webster's own evidence.

Q.—Will those documents be in the auditor's office now? A.—No.

Q.—Will they be in your old office? A.—Yes. I would suggest that you ask for a copy of this auditor's report and put it on the table; and everything is in detail.

Q.—Well, we had better see the documents.

THE CHAIRMAN: Do you want to send for them this morning?

Q.—We had better not stop for that, but make a memo. of them so they will be got. We had better get on.

MR. EWING: Was anything done then as a result of the auditor's investigations with respect to this system of covering up that you mentioned? A.—No, I do not think there was. I do not think there was anything done. I said to Mr. Burley, "I have written to Mr. Webster under date of the 5th." I think it was the Monday morning after the 5th and I think that letter was written on the first Saturday in October, I remember, and on the first Monday in October succeeding that I asked Mr. Burley to go to the office and in that letter I asked that that and several other matters be straightened up so that I could ask the auditors to come in and clean up my books. There were some other things.

MR. MACKAY: Where is that letter? A.—It will be in the daily report sheet filed along for the month of October—the first letter.

THE CHAIRMAN: Will you bring it down with you tomorrow morning, Mr. Webster?

MR. WEBSTER: Might I bring the whole thing?

MR. MACKAY: Yes, bring the whole thing.

MR. WEBSTER: Yes, that is the best way to do it.

MR. EWING: What about the help in your own office? You make some statements here about that—a lack of help in your own office? A.—Well, I had no help in my own office at all. When the Liquor Act came into force there were either six or seven employees down there in my office.

Q.—And what happened to them? A.—Well, they were gradually discharged one after another, until—I won't say discharged, there were some of them taken and put on to other work when they left me—they were taken away from me until I had during the months of September, October and November, I had no help whatever in my office, not even a stenographer.

Q.—That is when the work was heaviest? A.—Yes. I worked practically every Sunday and every holiday and evenings an average of five evenings a week to keep the work up to date.

Q.—You did not have a stenographer in your office at all during that period? A.—No. The stenographer went away in August or September and when she came back from her holidays she was taken into Mr. Browning's office and I had no stenographer.

Q.—You had no stenographer at any time during that period? A.—During the time she was away I had Miss Patire a few times from the general office, but she objected to coming down to the Old Buildings and doing work there.

MR. BOUDREAU: Wasn't it the law of this province to always get your liquor addressed to yourself? A.—Yes.

Q.—Shipped to yourself? A.—Yes.

Q.—Did you ever receive any shipment of alcohol addressed to the name of somebody else but your own? A.—Well, I could not say as to that, not to be sure.

Q.—Would you remember if I gave you the date of a certain shipment of alcohol from Saskatoon to Edmonton under the name of another person but yourself? A.—Well, I would not state whether it was another person but myself but you can ask your questions and I will give it to you.

Q.—Would you remember if the bill of lading was produced to you that the shipment of alcohol from Saskatoon to Edmonton to Nat Bell was not at your own name? Could you recollect it? A.—I cannot state as to that.

Q.—Would you recollect that the shipment that came, that same shipment which I refer to was not all—the whole shipment was not turned over to yourself? A.—Yes.

Q.—That a certain part of it was turned to Nat Bell? A.—I do not say that. A certain part of it was turned over to the Provincial Police. I have a statement—

Q.—Well, answer my question. Would you remember that two carloads of Scotch were shipped from Scotland addressed to a man by the name of Teviotdale? A.—Yes, there were two shipments, but neither of them was a carload. There were two shipments. One consisted of 500 cases and I think either ten or twenty barrels and the next shipment consisted of 800 cases and twenty barrels of Scotch.

Q.—All addressed to your name? A.—No, I do not think they were addressed to me.

Q.—Well, could Mr. Teviotdale import a thousand or twelve hundred cases in his own name and turn over to you five or six hundred cases? A.—No, the importation would not be allowed by the customs people; the order could not be sent from the Old Country except on a written order from me to Mr. Shearer. Mr. Shearer issues the instructions under which a certain number of cases or barrels could be imported and nothing else could be imported.

Q.—What was the reason you did not get these shipments addressed to your own name

as the law of this country said? A.—Well, I would not be sure but what it was addressed to my name. I rather think it may have been. I did not see the shipping bills.

Q.—You refer to the Scotch now? A.—Yes.

Q.—But the alcohol you would recollect very well it was not shipped to your name? A.—I would not say that. I have the whole transaction here. I will give it to you in detail.

Q.—Do you remember whether you notified the Provincial Police yourself to seize the Scotch or whether the Provincial Police had been notified by somebody else? A.—I myself notified the Provincial Police. Mr. Browning is the Deputy Attorney General, Secretary of the Police Commission and a member of the Police Commission, and before I would touch it I went to Mr. Browning and it was on his opinion and advice that the liquor came through and when I informed Mr. Browning, as a servant working under him, I also informed the Provincial Police—he was both.

Q.—Do you know he had been told before you went to him that a certain shipment of alcohol was at the station in the name of Nat Bell and that you were going to have only ten barrels out of that forty-five barrels of alcohol? A.—I do not know that. But I do know that Mr. Sugarman, of the Nat Bell Company, told me he had been to see Mr. Browning or was going to see him. The thing involved a legal point as to whether legally that transaction could be done.

Q.—Did you keep a record of all the water that you purchased from McLaughlin? A.—Every bill is on the file.

Q.—And you never took water out of the tap? A.—Never.

Q.—To put into the whiskey? A.—Oh, no, that would cloud it up.

Q.—And we could get no record of it? A.—No.

Q.—Did you ever pay Mr. Teviotdale any money for helping you? He must have been a very good man if he was helping you for nothing? A.—No, Mr. Teviotdale was never paid a cent by me in any way.

Q.—That is, he was working for you because Mr. Forster was an intimate friend, or whether it was for the benefit of the country or not? A.—Well, I do not think he was posing as a patriotic citizen. But the fact of the matter is this, that when the work got to a certain stage where reasonably I could not handle it—

Q.—I am just asking you this—A.—This is absolutely essential, what I want to say and it will clarify this thing so soon.

Q.—I am asking this question whether Teviotdale got one dollar pay from you or from the government for the work he was doing down there? A.—Never got a cent to my knowledge, of any kind.

Q.—The last question. Do you think that Teviotdale was working there for nothing for the sake of the country or because he was a great friend of yours? A.—Mr. Teviotdale was working there as a good friend of mine. Now, Mr. Chairman, there are two points I can clear up and clarify very quickly on this if you will just allow me, and I think it is absolutely essential to Mr. Boudreau and myself.

MR. EWING: I have made a note of it and I will ask you in order.

Q.—Mr. Boudreau has asked you about shipments of alcohol addressed to Nat Bell. What have you to say as to that? A.—Well, I say this, that during the fore part of 1918 I made several purchases of goods from the Nat Bell interests of imported case goods, Kilmarnock Scotch, Hudson's Bay rum, empty gallon and half-gallon jars. Those sales were all quite regular and in the ordinary way just as a purchase from any other source.

Q.—Why were they quite regular? A.—Under the last session a special act regarding warehouses was passed by the Assembly and it is incorporated in the back pages of the Liquor Act. Under that the Nat Bell Company were permitted.

Q.—Had they a warehouse here? A.—Yes, at the corner of Namayo and Jasper here.

Q.—And he was selling to the government? A.—Well, these few purchases I bought from him were of a good enough quality to use in the government store.

Q.—At that time were you buying all that they purchased for the Government of Alberta? A.—Absolutely all.

Q.—And you bought some liquor from Nat Bell? A.—Yes.

Q.—Had you ever been in his warehouse? A.—Yes, I had been in his warehouse several times.

Q.—Had a lot of liquor there? A.—Yes, I understood he had \$70,000 or \$80,000 worth of liquor in his warehouse.

Q.—Were you his only customer? A.—That I could not say.

Q.—You did not notice any other customers around when you were there? A.—No, I do not know that I ever saw anybody else around there except his workmen. He had workmen working there.

Q.—What were they working there for? A.—They were bottling stuff out of barrels.

Q.—For sale to the government? A.—No; I would not take that stuff.

Q.—Did you ever taste it? A.—No.

Q.—Why wouldn't you take it? A.—I would not buy anything of any local bottling. I bought Hennessy's brandies and Martell's brandies, all he had, and all the Kilmarnock Scotch he had, and a barrel of Hudson's Bay Rum, after taking a sample over to the stores and testing it and it stood 27 to 28 overproof, and was very good liquor. We needed these liquors at the time.

Q.—You say Nat Bell had about \$70,000 or \$80,000 worth of liquors there? A.—I could not state that as my own knowledge. I heard that and I know there was a large stock of liquors there.

Q.—Do you know of any other sales to anyone but yourself? A.—No, I do not. I was not interested in any other.

Q.—I am not asking what else you were interested in but what sales you would have knowledge of? A.—No.

Q.—Were any steps taken to see that no other sales were made that you know of? A.—Oh, yes, the Provincial Police were in charge of that warehouse from the time the Act came into force.

MR. MACKAY: Would he be allowed to ship outside the province? A.—Oh, yes. He told me he was going to ship to the Yukon and Australia and places where he could ship legally. That end of the thing is all right.

MR. EWING: You have no personal knowledge of these shipments have you, that he made outside the province? A.—No, I have no knowledge whatever.

Q.—You think the Provincial Police would see they did not get sidetracked in the course of shipment? A.—Yes, I think they should. I will say that—I think they should.

Q.—You will say you think they should? A.—Yes.

Q.—Just go ahead now. A.—At the end of October when the 'flu epidemic made a big demand for alcohol, and there was a prospect of a real shortage, there came to me a proposal of Mr. Sugarman of this firm. He stated they had a carload of alcohol at Saskatoon of different grades. I asked if he had any 65 over proof.

Q.—A carload of alcohol? A.—Yes, in a warehouse at Saskatoon.

Q.—How did you come to get into touch with Mr. Sugarman? A.—He came to me in my office.

Q.—What had Mr. Sugarman to do with it? A.—Well, that I could not say. He was part of the company.

MR. MACKAY: They had a warehouse at Saskatoon and a warehouse at Winnipeg. I did their business. And they had one here and may have had one some place else—three different warehouses under the different Acts.

MR. EWING: Go on.

A.—I asked him if he had any 65 over proof. He said they had nine barrels of alcohol 65 over proof. I said I would buy it. He said that the whole outfit was in excise bond at Saskatoon and that they wanted to close the Saskatoon warehouse and move it all to Edmonton. I told him I could only take the nine barrels. That is the only kind we have ever handled, practically.

Q.—Did he tell you the other kind of liquor that was there? A.—No, he did not. He reported the matter to me as being alcohol of different grades, some 65 and some about 30 and some even strength.

Q.—65 over proof was the only kind you handled? A.—Yes. I told him I could only take the nine barrels. He said the balance could go into their warehouse under Provincial Police supervision. And I said the transaction involved a legal question and I would consult with Mr. Browning and let him know. I went into Mr. Browning's office and talked the matter over with him, and he thought the purchase could be made under the circumstances. On the strength of this I gave Mr. Sugarman a memo. of the same date on which the goods were released at Saskatoon and shipped to Edmonton in bond. The excise duty was paid here and the nine barrels came to us on the next Tuesday or Wednesday, November 5th or 6th, and the balance went under the Provincial Police supervision into their warehouse. I use the words "shipped to us" because Mr. Douglas was on the floor and in the business; it was just at the fusion of his coming in and my going out and I think he was in the warehouse at the time. They were loaded in the afternoon about five o'clock.

Q.—What order did you give to have this stuff shipped? A.—Just a line or two:—"To whom it may concern; this is to certify that the alcohol had been bought for shipment to the Province of Alberta."

Q.—Have you a copy of that order? A.—I think it will be on the file, though I would not be sure of that. It was just a couple of lines.

Q.—To whom was it addressed? A.—To whom it might concern. It would be the collector of Inland Revenue at Saskatoon. Only on a memorandum from me or from Mr. Browning could the transaction take place.

Q.—Did the memorandum state you were purchasing sixty barrels 65 over proof? A.—No, I did not know the contents of the warehouse.

Q.—Did the memorandum permit Mr. Bell to ship the entire contents of his warehouse up here? A.—Yes, I think it did, whatever was there. I could not tell you just the wording, but from my memory I think that would be the import of the whole thing. It could be moved in bond. It would not go out of the customs bond and that would make it perfectly safe and when it got here part went to me and part to the Provincial Police.

Q.—There was no intimation of that in the notice which you gave to the excise officer? A.—Oh, no, no, I would not think that.

Q.—In whose name would that be shipped in? A.—That I could not say at all. The arrangement was this: he told me, this was on a Friday evening or a Thursday evening, and he

said they could land that alcohol in here on Monday by car rate over the C.N.R. Well, we had to have alcohol at that time and after talking with Mr. Browning the business was transacted just as I have explained here. I know the Provincial Police moved their part of it because Inspector Fisher spoke to me over the 'phone about it, the morning that stuff arrived. It arrived, I think, on the Tuesday evening at about five o'clock and the nine barrels came on to the floor of the warehouse at the vendor's store, and——

Q.—And what became of the rest of the shipment? A.—Well, I do not know. I presume it went under police supervision in that warehouse.

Q.—What I cannot understand is this. There was nothing contained in that document which you gave that indicated that there was any division of this shipment? A.—No, I do not think there would be that.

Q.—That would indicate it was all coming to the one consignee? A.—Yes, I would think that.

Q.—Whether that would be you or Mr. Nat Bell or the Nat Bell Company, you do not know? A.—No.

Q.—You had nothing to do with the unloading of that? A.—No.

Q.—Who had charge of it? Who would see that the nine barrels came to your warehouse? A.—Well, I guess it would be the Nat Bell Company, because they delivered it off the rig that was delivering for themselves, I fancy. They delivered it at the back door of the warehouse.

Q.—They would have everything in their hands when that car came here? A.—Yes.

Q.—To deliver nine barrels to you? A.—Yes.

Q.—And to deliver any portion of the rest whenever they chose? A.—Yes.

Q.—What portion of it do you suppose they took to the warehouse? A.—Well, I would believe that the rest of it would go there.

Q.—What makes you believe that? A.—Well, I had a telephone conversation about the matter with Inspector Fisher.

MR. MACKAY: I think you are going too loosely altogether. This witness had better tell what he knows and we will call the other witnesses.

MR. EWING: You said you spoke to Inspector Fisher? A.—Over the 'phone, yes.

Q.—What about? A.—I think he called me up about something with reference to this shipment.

Q.—Before or after its arrival? A.—I think it was in between the order and the arrival. It indicated to me that Mr. Browning had spoken to him.

Q.—What did Mr. Fisher say to you? A.—I do not recall what he did say. But it had to do with this shipment and it satisfied me that the Provincial Police knew all about the transaction and everything in connection with it. I did not enquire any further.

MR. WEIR: Wouldn't the order you gave to Sugarman keep the whole thing under your control? A.—Well, I do not know how they would ship it. I really don't know these things.

Q.—No, no, but if you were giving an order that must pass the customs at Saskatoon, didn't you so word the order that the goods would be consigned to you and have it under your control? A.—No, I would not just say that. These are the circumstances, that part of it was going under the Provincial Police and part of it was coming to me.

Q.—I am asking what you did.

MR. EWING: Have you any records that will show to whom that was actually consigned? A.—No, but they could be produced from the C.N.R. The freight bills will be in some place or the duplicate copies.

Q.—You will have the freight bills in your file? A.—No, I did not pay the freight. We bought it at a price paid on the floor of the warehouse delivered.

Q.—Who paid the freight? A.—I presume the Nat Bell Company did.

Q.—Where was the excise paid? A.—The excise was paid in the office here to Mr. Fidler.

Q.—Do you know anything about the paying of that? A.—No, I had nothing to do with that.

Q.—The liquor would arrive here consigned to somebody? A.—Yes.

Q.—It would not be to you because if you bought it laid down on the floor of the warehouse it would be consigned to someone else who would deliver it there, very likely, would it not? A.—Oh, yes.

Q.—This liquor arrived. Somebody paid the excise? A.—Yes.

Q.—You do not know whom? A.—No.

Q.—Then I suppose after the excise was paid it would be completely at the disposal of the consignee, so far as you know? A.—So far as I know, yes.

Q.—And all you know is that nine barrels came down to the government warehouse? A.—Yes, if that came in on the Tuesday evening then on the Wednesday morning Assistant Superintendent Piper of the Provincial Police, and two Provincial Police officers, came to me, that is on the following morning, came to me in the warehouse where I was working, and they asked if they could borrow my hydrometer or testing instruments to test the strength of these different liquors that had come in.

Q.—They told you they wanted to test the strength? A.—Yes, they wanted it for that purpose. And I asked them—whether Superintendent Piper stated he did not understand the use of it or whether I explained it to him—but anyway, there was an explanation and I offered to go over and test these liquors for them and give them the proof strength. But there was

some talk there and they went away without taking the instruments with them, or they did not ask me to go over—but these circumstances confirm me the same as the circumstance of the last conversation with Mr. Fisher, that the whole thing from their end of the thing was altogether in their hands, that they knew all about it.

Q.—Who came to your office? A.—Assistant Superintendent Piper and two policemen in uniform.

Q.—You think that was the following day after the liquor was delivered? A.—Yes, the following morning. They came in about five or six o'clock, late in the afternoon.

Q.—What time elapsed between the time of the arrival of the liquor in Edmonton and the delivery of the nine barrels to your warehouse? A.—I have no knowledge at all.

Q.—It might be several days? A.—No; Mr. Sugarman came to me on a Thursday evening and I think on the same evening he guaranteed to have it here on the following Monday. As a matter of fact the liquors came on the Tuesday and there would be no more time than that elapse.

Q.—Did you give any instructions to the police as to their conduct with reference to this shipment of liquor? A.—Oh, no. That matter was entirely out of my hands. That was in Mr. Browning's hands. The police did not report to me and I had nothing whatever to do with that end of the work at all. That was absolutely out of my hands.

Q.—That was left with Mr. Browning? A.—Yes.

Q.—Now, just continue. A.—Well, I had nothing further whatever to do with the transaction—Mr. Douglas had come on to the work, except this—Mr. Parks, who was his accountant there, said to me in his office, "Here," he said, "what will this liquor cost us?" Well, I said it would cost just whatever the current price was. And he got the bills of quantities; there were nine barrels perhaps, 40.5. And he gave me the quantities and I said I did not know what the freight would be at all from Saskatoon by carload, because I have never got anything that way. But I sat down and I gave him a figure for the whole transaction, which I understood from him later when the invoice came in and the goods were paid for, was within \$7.00 or \$8.00 of the total cost. And I think it would range up to \$2,500 or \$2,700.

Q.—When you made arrangements with Mr. Sugarman did you arrange the price? A.—Just the current market price, what we could lay it on our floor from Winnipeg or Walkerville. That is what it was to be delivered for here.

Q.—You did not arrange any set price for Mr. Sugarman? A.—No, just the current price what it would cost to get it from any place else with similar grades, that is all.

Q.—Have you ever heard anything more about that liquor? A.—Oh, yes, I have heard various things about it—various remarks.

MR. MACKAY: I do not think we need go into that.

A.—No, I do not think you need it very badly.

Q.—Well, I do not think you need make any remark about that to me. A.—Well, I apologize. I did not intend anything at all, Mr. Mackay.

Q.—All right, Mr. Forster. I apologize. I had no intention of anything of that kind at all.

MR. EWING: From whom did you hear the remarks? A.—I heard them discussed. I have kept pretty much to myself since I have been here. I have been in my son's house and I have heard it discussed there.

Q.—Can you give me the names of the people who could give any evidence about this shipment? A.—Well, I tell you this much—I understood—

THE CHAIRMAN: Never mind what you understood—just what you know. Hearsay is no evidence; tell us what you know.

MR. MACKAY: He can give you the names of people he thinks will give us information.

A.—I understood, Mr. Chairman, that the matter was investigated at the instigation of the Attorney General, the whole thing; and there should at some place be a report on the whole matter that will clarify the thing, you see.

MR. EWING: This was investigated by the Attorney General's Department? A.—Yes.

Q.—When? A.—Well, that I could not say. It was during my absence, but there has been some investigation and these reports should somewhere be available. I have never seen them and of my own knowledge I do not know, only I heard that this took place. I only want to be fair about it.

Q.—Can you give to this Committee the name of any person who would be likely to have information concerning it? A.—The Attorney General should have the information.

Q.—He would have the official information? A.—Yes.

Q.—Do you know anyone else who is connected with this matter in any way that might give us information? A.—Well, whoever was instructed by the department would get the information. I don't know who did it, you see, at all.

Q.—You have no information on that point? A.—No, I have no information only what I have actually heard. I have heard that these things did take place. I do not know.

Q.—Mr. Boudreau mentioned another shipment. No, he mentioned two shipments addressed to Mr. Teviotdale, the shipments being shipped from Scotland? A.—Well, I do not know that they would be addressed to Mr. Teviotdale. I think they probably would be addressed to the name of the firm in Scotland with instructions to the Merchants' Bank with regard to the matter.

Q.—Tell us what connection you had with that shipment as a government inspector? A.—I bought the liquors through Mr. Teviotdale. Mr. Teviotdale is the Canadian agent or the Western Canadian agent of Alexander Macdonald, of Leith, Scotland, Distillers. He was their accredited agent and showed me his papers. I think probably they are on the file still.

Q.—What papers? A.—His papers from the firm showing that he was their accredited agent. I placed two orders of liquor with him.

Q.—When? A.—Well, that I could not say. I fancy about the end of last year the first order was placed for 500 cases of Scotch liquor.

Q.—About the end of last year? A.—Well, I would not make a direct statement.

MR. MACKAY: You mean 1917? A.—Yes, I mean 1917.

MR. EWING: You placed the order with Mr. Teviotdale did you? A.—Yes, and the liquors were ordered by cable as I understood it, at a price delivered in bonded warehouse under the care of the Customs in Edmonton at a certain price per case and a certain price per gallon.

Q.—I suppose the invoices will be on your file? A.—Oh, yes, everything in connection with it. These two shipments, owing to war conditions they were accepted for shipment at Glasgow by the C.P.R. on their steamers and rail, but owing to war conditions they split each shipment equally in two and shipped on two boats. That is, they would not let this size shipment come out in one boat. And it came in at two different times. 500 cases, I think, was the first shipment. That was split in two—cased goods. I think it was 300 cases of ten-year-old and 200 cases of twenty-year-old. But the invoices and everything could be produced for it. And the other one was 800 cases and 20 barrels, and that was split 400 cases and 10 barrels and the first outfit of that came in during my term of office. I think I am right in saying that the second part did not come in until after Mr. Douglas had taken over the work from me. It was still on the way when I was through.

Q.—Tell me what happened when the first shipment arrived here? A.—It came through from Scotland and went into bond; I think fourteen in the Western Cartage Company on Fourth Street.

Q.—Whose duty would it be under your contract with Mr. Teviotdale to pay the excise on that? A.—Oh, he would have to pay the excise. I bought the goods at a price delivered on the floor. That relieved me of trouble regarding these things—freight and everything. I had nothing to do with it until it was on the floor of the warehouse here.

Q.—And this shipment you think was not shipped in your name? A.—Well, I could not say as to how it would be addressed. The shipment, you will understand this, that under the Dominion regulations it was necessary for me as the proper official of this province to write to the Collector of Customs, Mr. Sifton, and get permission from the Dominion Government to import liquors for this province, on behalf of the province. I had to do that. Then he sent me a letter in which he stated that certain instructions, general instructions, had been sent to the Collector of Customs at Edmonton and to go from time to time to him. All the business then, was done with him and on each of these shipments I had to take him or I took him a letter, Mr. Shearer specifically describing what I was going to get in, 500 cases and 20 barrels, and then the matter was very largely in the hands of the customs until the liquors themselves came to hand.

Q.—That is the point at which the liquors would arrive here in bond? A.—Yes, in bond.

Q.—Addressed to somebody; you do not know whom? A.—No.

Q.—Mr. Teviotdale would pay the purchase price of the liquors if that had not already been paid? A.—Oh, yes.

Q.—Then he would pay the excise? A.—Yes.

Q.—Then the liquors would pass into his possession? A.—Well, I don't know that I would express it that way, that they would pass into his possession. They would still remain in the Customs House.

Q.—But he would have a right to possession of them as soon as he had paid the company's charges and the excise? A.—I don't hardly think that. I think they came then into my possession.

Q.—I am asking now—they were not consigned to you? A.—Yes.

Q.—You do not know they were consigned to you? A.—No, I do not.

Q.—Then if they were consigned to Mr. Teviotdale or to the order of Alexander Macdonald— A.—I think that is likely what it was.

Q.—Assuming they were consigned to the order of Alexander Macdonald, they arrived here in bond, the purchase price was paid by Teviotdale? A.—Yes.

Q.—The excise was paid by Teviotdale and the freight was paid by Teviotdale? A.—Yes.

Q.—Then Mr. Teviotdale would be entitled to delivery of those goods, would he not? A.—Oh, absolutely.

Q.—And what check was there—what check was on Mr. Teviotdale to see that he delivered to your warehouse the entire contents of the shipment? A.—Well, the check upon him would be from the customs people. They have the papers as sent from Scotland, you see, right along, they would be the people who would check the shipment in.

Q.—But if in that carload, instead of 500 cases there had been 600 cases? A.—Yes.

Q.—And 500 cases was delivered to your warehouse? You would have no check or means of checking the balance, would you? A.—Oh, no, no, paid for what came on to the floor of the warehouse.

Q.—In the direction which you got which permitted this liquor to come into Alberta, there was no amount stated in it, was there? A.—Well, that came from the Collector of Customs. I had to get a permit, you see. Whether that would be renewable each year I do not know.

Q.—It was a general permit? A.—Yes.

Q.—You did not get a specific permit to let in this specific liquor, did you? A.—No, to cover the shipments from time to time.

Q.—Now, you could not say to this Committee that there was 500 cases or 600 cases in that shipment, or 700? A.—No. I could from my books. I could tell exactly what came to me.

Q.—Yes, you could tell what came to you. But there was no check on Mr. Teviotdale, you see, that the liquor that he brought into the province and paid for was all delivered to your warehouse? A.—Well, I would have no check.

Q.—Well, you do not know of anyone else having any check? A.—Oh, yes, the customs people would have an absolute check.

Q.—Well, after the customs people were paid their excise their interest in it ceased absolutely? A.—No, but you must understand this. The liquors coming in in that way go into a customs warehouse. You only pay the duty as you take them out.

Q.—But if Mr. Teviotdale paid the excise on the entire shipment he would be entitled to take it all out? A.—Yes.

Q.—And he would deliver 500 cases to you? A.—No, but that is not the point. He did not pay it, nor he could not pay it, I do not think. I paid the customs excise from time to time. If I required two barrels or 40 or 50 cases and anything out of the customs bond I would go to a customs broker, Mr. Kay, who did the work in connection with this, and he would make out all the papers; it takes nine or ten different forms, and he would tell me what the amount of duty would be and he would do all of that business with the customs.

Q.—Did that happen in this particular case from time to time? A.—Yes, never any other way.

Q.—When you had paid the excise on 500 cases you were through with that. You had gotten all that was coming to you? A.—Yes, all out of that shipment. But when the liquor came in there were 22 cases of it stolen from the railway. It came in 22 cases short and at the present time there is a suit on at Minnedosa against a man named Bellamy who is charged with the theft and by papers in Los Angeles I am required to give evidence at New Minnedosa by Crown Prosecutor Egan on that case. Those particular cases did not come to me.

Q.—Were they stolen in Edmonton? A.—No, they were stolen down around Brandon some place. And the Canadian Pacific Railway Investigating Department—there were some shoes and some tobacco stolen out of the same cars and through tracing the shoes they got the other.

Q.—To come back to my point again. When you had paid the excise on the amount of liquor which you had contracted to buy from Mr. Teviotdale, you were through with that particular business? A.—Oh, yes.

Q.—And if the shipment contained more than you contracted for you would have nothing to do with that? A.—Absolutely nothing at all.

Q.—And there was no check on Mr. Teviotdale's importation into this province for purposes other than sale to the vendor? A.—No, I know of no check of that kind. I think it is highly improbable anything of that kind took place. In fact, I am positive on that point. Regarding the liquor that was stolen, I understand Mr. Teviotdale put in the usual claim to the C.P.R. for the collection of that. I had nothing whatever to do with that as I was paying for what came on to the floor of the warehouse.

Q.—Mr. Boudreau asked you if you had a record of the water bought from McLaughlin. A.—Oh, yes, there is a record on the file, and there would be the invoices and the cheque by which the account at different times was paid.

Q.—I did not quite get his point in that. You used distilled water for diluting the liquor, didn't you? A.—Yes, certain grades.

Q.—While we are on this question of diluting, you might as well explain that? A.—If you will allow me to read this explanation; I am on my oath, it will do it so much quicker. (Reading): "There is no reason why a perfectly frank explanation cannot be made in this matter in all its details. All alcohol sold in the government stores during my term of office was sold at 65 over proof strength with the exception of a portion of one barrel of proof strength alcohol sold on Monday, November 4th."

Q.—Why the exception in that case? A.—Well, that requires a little explanation. I had a contract for forty barrels of alcohol from Hiram Walker Company of Walkerville. And that came along six barrels every ten days, three barrels here and three or four to Calgary as required. That contract was running for some time and I remember about the first week of October I got a letter from Mr. Browning dated the first day of October. This is the letter: "Memo for Mr. Forster: I am today asked by the minister to instruct you not to make any further purchases of liquor without first consulting him." And it was absolutely impossible for me to see or have a conference with Mr. Boyle until the 30th of October, when I ordered about \$60,000 worth of liquor by wire. My hands were tied in the matter absolutely.

Q.—And there was a month in which there was no liquor bought at all? A.—Yes, a month in which there were no liquors bought at all.

Q.—Well, go on and explain how you came to sell a barrel of alcohol not of the regular

strength? A.—Well, this contract expired and our alcohol ran out on Monday the fourth, and what alcohol was sold on that date, and probably on the Tuesday, was proof strength alcohol and that, while the price of the 65 over proof was \$9.50 a gallon, I think this was sold at \$7.50 on account of the difference in the grade.

Q.—You mean it was a lower grade? A.—Oh, yes, a lower grade alcohol altogether. That lower grade alcohol came in in the purchase from Kenora. There were three or four barrels got.

Q.—You sold some under proof? A.—No, I sold some at proof strength because we hadn't anything else to sell until that stuff from the Nat Bell Company came to the warehouse.

Q.—Then you were selling it over proof? A.—Always 65 over proof.

Q.—That is the regular way you sell it? A.—Yes.

Q.—And was this 65 over proof or more than that? A.—Well, all the alcohol which has ever been sold in the stores with the exception of this that we sold those two days was 65 over proof.

Q.—And what was sold during those two days? A.—Either a barrel or a part of a barrel sold at proof strength. Proof strength would be 100. Under proof would be 10-90 and as you go overproof it means 165 instead of 100.

Q.—And this was sold at 100 instead of 165? A.—Yes.

Q.—I see; it was really under strength? A.—Yes, it was proof strength—yes.

Q.—I am not very well acquainted with your terms. Now go on with your explanation as to dilution. A.—All rye whiskey sold in the Government stores stood at between 25 and 27 under proof with the exception of a dozen cases of Weiser's Recreation Rye, in 40 ounce bottles purchased in a shipment from Kenora and which stood at 40 under proof. All rye whiskey was sold in the stores at the strength purchased, and was turned over to the Vendor in sealed packages, either bottles, jars or barrels. Melcher's Gin was sold in sealed bottles as purchased and stood at 25 under proof. The various brands of known and reputable Scotch Whiskey in sealed bottles were sold as purchased and would vary from 20 to 40 under proof. Brandies of well known brands were sold as purchased under the original seals at strength ranging from 15 to 40 under proof. Rum was sold in bottles and jars at a strength varying from 20 to 30 over proof, usually about 27 over proof. Wines vary largely in alcoholic strength but were always sold at the strength at which they were purchased and outside of sacramental wines usually in original sealed packages. The sacramental wines were got in barrels and were put into jars and sealed for convenience in handling. Scotch whiskies and brandies imported at proof strength under seal in original barrels and casks were sold at two different strengths and at two different prices. After being put in gallon jars, half-gallon jars, imperial quart bottles and imperial pint bottles, they were sealed and sold at the following prices: Proof strength or as imported with no dilution. That is, you might buy these at proof strength but when you put the instrument on they might stand at 100 or 98½ or 99, but you have to take them as you get them. Proof strength or as imported with no dilution were sold at gallon \$15.00; half-gallon \$7.50; quart \$4.25; pint \$2.25. And when they were reduced to the strength of 20 to 25 under proof they were sold at, gallon \$12.00; half-gallon \$6.00; quart \$3.50; pint \$1.75.

Q.—Why did you reduce them? A.—Well it is the regular and ordinary practice in the liquor business. I could qualify that in giving my own excuse for doing that. That is a broad statement; I could give my own reason.

Q.—Give your own reason. A.—Before these stores were started I went to Regina to make an investigation into the system then in vogue in Saskatchewan. The Saskatchewan Government was doing a business of over \$3,000,000 a year in liquors. They had stores all over the province at that time. They were shortly afterwards voted out. But when I got there I spent two or three days in the warehouse with the officials of the Department and was shown everything in connection with it. And among other things I was shown and had explained to me was this importation at proof strength and dilution by distilled water, to anything you liked under proof strength. The more water you added the lower the grade of the liquor became; not the quality but the strength. They went very minutely into that. And they had a system of machinery; they did this by machinery there and bottled their own goods. By bringing the liquor in at proof strength you save freight and you save in the charges for barrels, and for barrels you have to pay \$4.00 for practically, and you save in packages and everything else. And after getting all that information and considering it was quite the intelligent and proper practice in the business, just prior to the opening of the stores I made a purchase of about \$5100 worth of liquor from the Hudson's Bay Company in Calgary and I went down in reference to that, and I am not a liquor man at all and I required education in that, you see. And therefore I went into that matter in great detail with the then manager of the Hudson's Bay stores and I think he is the most efficient man in that business in the province.

Q.—You were telling us it is usually done? A.—Yes.

Q.—What is the purpose of it being done? A.—Well I do not think liquor can be consumed at proof strength. A person cannot drink it at that. Even the sealed liquor, 25 or 30 under proof practically nobody drinks that without diluting it; they dilute it with water or soda or something.

Q.—Was all the dilution done by you or under your direction? A.—Yes it was all done by myself or under my direction, directly.

Q.—And you say you used McLaughlin's distilled water for the whole thing? A.—Yes.

Q.—Do you know of any dilution with anything else but distilled water? A.—Oh, there would be dilution of other liquors of the same class.

Q.—Oh, you dilute one liquor with another do you? A.—Oh yes, some of the liquor. There was a shipment from Drumheller, it was seized down there, standing at 40 under proof.

Q.—This was confiscated liquor? A.—Yes.

Q.—And did you dilute that? A.—Oh yes.

Q.—What with? A.—Well you did not dilute that, but you added the proof strength Scotch to that to bring it up to strength.

Q.—I am speaking now of dilution. Did you ever use anything but distilled water for diluting? A.—Oh no, nothing ever used but that.

Q.—Did you ever know of anything else being used? A.—Oh no. If you use ordinary water it clouds the liquor. Distilled water is the only thing, as I understand it, that can be used.

Q.—And all the dilution was done in the warehouse under your direction? A.—Absolutely. I do not think I was ever out of the warehouse when anything of that kind was done. I would like to make this statement, that about 95 per cent. of the purchases made by the druggists in this province when they had the choice of the two grades of liquors—that is with reference to Scotch and Brandies only—when they had their choice, and I think Mr. Webster will bear me out, 95 per cent. of the liquor sold in the Vendor's store—the druggists took the \$12.00 grade standing at from 20 to 25 under proof in preference to paying \$15.00 for the stuff as imported.

Q.—Do you know as a matter of practice whether the druggists follow the practice of further diluting liquor? A.—I think they do.

Q.—Do you know of any druggist ever doing that. A.—No.

MR. PINGLE: Have you any real knowledge of them doing it? A.—No I have not.

Q.—Well, why should you say you think they do? A.—I would say directly—I have no direct knowledge of that at all.

Q.—What indirect knowledge have you? A.—Well, just only what general talk there has been about the thing. Of my own knowledge I do not know, there is no question about that. I have never been mixed up in that end of the business at all.

MR. EWING: About Mr. Teviotdale. You say Mr. Teviotdale was the agent here for an old country firm of distillers? A.—Yes.

Q.—And you bought two different shipments from him? A.—Yes.

Q.—By the way, one shipment was 500 cases? A.—Yes, I think that is it.

Q.—Did you get the full amount of that shipment? A.—All except what I have spoken to you about that was stolen.

Q.—Did he make that up to you? A.—No, he did not pay for it. I only paid for what came to me.

Q.—Did he supply you with twenty additional cases to make it up? A.—Oh, no, no.

Q.—You would only pay for 480 cases then? A.—Well, I would not just say to those figures. But I paid for the difference between what was ordered and what was——

Q.—What was stolen? A.—Yes. But I could get you all those things in the originals, trials and everything in the C.P.R. Claims and everything in connection with all those things.

Q.—How many more purchases did you make from Mr. Teviotdale? A.—I made several purchases. I would not say from him, but through him.

Q.—Would you say you bought most of your liquor for this store through Mr. Teviotdale? A.—Oh, no, I would not say that at all.

Q.—Can you give the Committee an estimate of the proportion of the total liquor that came into your store that was bought through Mr. Teviotdale? A.—Well, I think I could give that approximately.

Q.—Well, I mean approximately, of course. A.—I do not think there were any liquors purchased during the first eighteen months or thereabouts through Mr. Teviotdale. At the time the Dominion Government regulations put these exporting houses out of business there were certain stocks all over the country left in their hands. I think about that time, whenever that was, I made a purchase, not from Mr. Teviotdale, but from the Metropole Liquor Company of Winnipeg.

Q.—Was that the agent? A.—I think it was the same Metropole Export Company you had here in Edmonton and Saskatoon. They had agents all over.

Q.—Mr. Teviotdale was the agent of that concern or perhaps a partner in it? A.—I think he was perhaps a partner.

Q.—Was he agent for any other concerns besides what you have told us of? A.—Not that I know of.

Q.—From the time you commenced to buy from him what proportion approximately of the actual liquors that you purchased, did you buy from him? A.—I would judge that during the last year of the business I don't think we got in the first sixteen or eighteen months, within the last year of the business probably one-fifth to one-fourth may have come that way, including these export orders of Scotch liquors.

Q.—Probably one-fourth or one-fifth? A.—Yes.

Q.—As agent here, of course, he could not sell to anyone else? A.—Oh, no.

Q.—But to the Province? A.—Oh, no.

Q.—Well, did these concerns maintain an agent for the sole purpose of selling to the Province

of Alberta? A.—Oh, no, I don't think so. I think this was something which had been in existence for some considerable time.

Q.—But he retained the agency? A.—Oh, yes, yes; I think he has it today.

Q.—Now, how did Mr. Teviotdale come to be working for you down in the Vendor's store? A.—Would it enlighten the Committee any to give you any further details as to the purchases of him? I want you to get all of this.

Q.—Is there any interest to the Committee? A.—I will tell you two or three specific purchases.

Q.—You have told me generally that you purchased approximately one-fifth or one-fourth of the total liquors you purchased from Mr. Teviotdale.

MR. MACKAY: The witness had better answer Mr. Ewing's questions and we can get on.

MR. EWING: How did Mr. Teviotdale come to be working for you in the Vendor's store? A.—Well, Mr. Teviotdale has been more or less a personal friend of mine for a long time. When the work got in the stores during the summer—there was a gradual increase in the sales and all increases in sales made increases in my work and in the Vendor's work, naturally. Well, that got to the point when I thought it was impossible for me to do it alone; when it got to that point I suggested to some of the members of the Government that I should have help and among other suggestions I made a suggestion to Mr. Browning, the Deputy Attorney-General, to bring Mr. Downey here, who was Pool Room Inspector and it did not take all his time—to bring him here. He was familiar with this work in Calgary as Vendor there, and he had some experience—to bring him here and let him occupy the dual position of Pool Room Inspector and also come to the warehouse and down to my office to help me and I thought for a while with that arrangement we could handle the business quite nicely. That arrangement, I thought, was going through, but somehow or other, I don't know why, or how, it was forestalled anyway, and it did not take place. Mr. Teviotdale, I don't know whether he came to my office or I went to him, or if it was in ordinary conversation, but he offered to come over and help and I accepted his offer.

Q.—When would that offer be made? A.—Probably July or August of last year.

Q.—Did you buy any liquors from him after he started to work for you? A.—Yes, I bought liquors from him right up until shortly before. I think the last order was that order that went to Scotland.

Q.—Was Mr. Teviotdale doing anything here? A.—No, he was doing nothing at the time, at all.

Q.—That is, he was not following any occupation? A.—No, he had no occupation.

Q.—He was just helping you out and you were not giving him any consideration, not paying him anything for it? A.—No, not paying him. I did not pay him, but I frankly admit that I considered he was entitled to pay. But when this trouble arose he absolutely refused to take either pay from the Government or pay from me personally. Those are the facts of the matter. He did not get paid. There was some question arose as to my keeping him in the employ, which arose two or three weeks, probably in advance of this.

Q.—What trouble arose? A.—Well, one of the Ministers spoke to me with reference to the matter and said some complaints had come to him of this man working there.

Q.—I notice a letter of Mr. Boyle's bearing date November 4th, 1918, addressed to yourself, in which he says: "I was surprised to learn that you had a man whose name I think is Mr. Teviotdale, employed without the knowledge of the Deputy Attorney-General or any person in this Department so far as I am aware, to dilute liquors in the Edmonton Vendor's store." He was employed without the knowledge of the Deputy Attorney-General? A.—I won't say that, but I do not think there was anything official.

Q.—"Or any person in this Department so far as I am aware." Did any person in the Department know he was there? A.—Oh, yes, several in the Department knew. Mr. Browning may not have known, but the Minister certainly did because I have sent for him and spoken to him about the matter.

Q.—Would that be prior to November 4th, when this letter was written? A.—Yes, two weeks I would say.

Q.—And he said he was employed to dilute liquors in the Vendor's store. Did he do the diluting? A.—Oh, no. That would not be just an accurate description. He did all the work I would be doing or assisting me with the work. We may have been doing that or emptying wine, labelling or sealing bottles or jars, whatever I was doing myself—he was doing the same work with me.

Q.—The Minister says: "I gave you instructions on Saturday that this man should not be permitted in the store." You got the instructions on Saturday, did you? A.—No, I think it was on the Friday night—it is immaterial. Yes, I got the instructions.

A.—And what happened? Did he continue in the store? A.—He worked there on the Saturday and he worked there on the Sunday—we worked on Sunday. Saturday and Sunday, he worked with me both days.

Q.—And then what happened? A.—Well, he has not worked there since that I know of. That was the conclusion of his work so far as I know.

Q.—You worked Saturday and Sunday? A.—If I got my instructions on Sunday then he was working there on the Saturday—I think my instructions were he was not to be there on the Monday morning, or something to that effect.

DR. STATE: Mr. Forster, did you, in the bulk whiskey, either Scotch or rye, did you

turn anything over to Mr. Webster as low as 40 under proof, for sale? A.—Yes, I have. That outfit I mentioned of Weiser's Recreation Rye.

Q.—Were you in the habit of doing this? A.—That is the way it comes to me in sealed bottles.

Q.—I refer to the bulk goods. A.—No; the bulk goods were purchased in two grades, two year-old and the seven-year-old and they were turned over to Mr. Webster in bulk in the sealed barrels. The barrels were never open practically. That is probably during the last eighteen months. The first shipments we got in came from Bovin, Wilson and Company, Montreal, and it had been put in gallon jars every day.

Q.—Those that were diluted with water in your Department, what was the lowest proof you allowed to go out in that way? A.—I do not think there was anything under thirty. I do not think there would be anything under that. It was mostly from twenty to twenty-five or twenty-six.

Q.—You, in your Department, kept track of all dilution? A.—Just as you went along with this work. You have the instruments right there and as you go along you test it. I do not think there ever was a shipment but at the time it was tested as it went along.

Q.—What was your method of keeping track of your stock? Is it a question of not allowing anything to go out except under seal or have you any means of knowing of anything? A.—There is a record of everything in my desk. I could show where every ounce of this water has gone; every ounce can be accounted for.

Committee adjourns till 10 a.m. Tuesday, April 1st, 1919.

COMMITTEE RESUMES. APRIL 1, 1919, AT 10 O'CLOCK A.M.

Mr. Boudreau asks for a request that a letter from the Detective to Superintendent Bryan regarding the seizure of that liquor; there must be a report from the detective that seized the liquor to Bryan and he would like to get that letter.

MR. EWING: I have sent in a request for Mr. Bryan to produce all papers. You say, Mr. Forster, you want those files produced? I move that the files be produced, Mr. Chairman.

F. G. FORSTER, being recalled, and examined by Mr. Ewing, testified as follows:

MR. MCNAUGHTON: You are still under oath, Mr. Forster? A.—Yes, sir.

MR. EWING: Mr. Forster, had you ever any occasion to make any complaint about unqualified druggists getting liquor? A.—Well, I don't know as I made any specific complaints.

Q.—You can't recall that? A.—Yes.

Q.—Did you ever make any complaint about unqualified physicians giving prescriptions? A.—I don't know as I have made any specific complaints of that kind. I did go to Mr. Webster and tell him a certain doctor or a certain druggist at times that were—that is, I didn't go to anybody else; I think I went to him and told him of a druggist at St. Albert who was coming there and ordering liquors, you see, and our records from the Druggists' Association showed that he was not a registered druggist, or something.

Q.—That is what I meant. A.—And I went to Mr. Webster about that and I don't think that after I spoke to him that any more liquor was sold to him in the Vendor's store. I know the records come through my hands and I saw no further sales.

Q.—Do you know of any unregistered doctors giving prescriptions? A.—Yes, I do but during the first eighteen months, you see, all the prescriptions and all the records at the end of each month came into the Department and they were all carefully scrutinized at that time and during all that time and there were a considerable number of transactions of that kind about which letters were written both to druggists and to the doctors affected.

Q.—Letters were written by whom? A.—Well, they would be written by me or on my dictation.

Q.—Did you finally discover that any unqualified medical practitioners were giving prescriptions? A.—Oh, yes; yes, there was that.

Q.—Was anything done in connection with it? A.—Well, I think you could write to the doctor yourself and write to the druggist in or near his town, you see, whoever had filled his prescription would be written to about it and warned; those letters are on the files and could be produced.

Q.—What I mean is this, the medical man would know himself that he was not qualified? A.—Oh, absolutely; he would know whether he was registered or not; there was some confusion between—the Act says he must be registered under the laws of Alberta; some of the doctors probably are not registered; I don't know about that.

Q.—Have you any particular man in mind who was issuing prescriptions without being qualified? A.—No, I don't know that I could name a man; I could name the locality where a doctor was located, it was somewhere between Calgary and Lethbridge, on that line in there some place, if I recollect.

Q.—You didn't know—— A.—But since the amendments to the Act of last year that work has ceased and that class of thing would not come to my notice at all unless it was reported to me.

MR. W. M. DAVIDSON: In those days the doctor applied direct to the Vendor, did

he? He would apply to the Vendor? A.—No, the doctor wouldn't; he would apply to the druggist. At the end of the month each registered druggist, veterinary surgeon, physician and dentist in this province had to make a statement showing their purchases and their sales and verified by affidavit; that came into the Department at the end of each month accompanied from the druggists by every prescription on which liquor had been sold by him, consequently every sale, you see, that a druggist had made at the end of the month came under my sight, where I could see it, or somebody employed—

Q.—The Department had a record? A.—The Department had an absolute record and for the first six months we engaged a qualified druggist to work in the Department, because we were not druggists, and he scrutinized these things and made us familiar with all the drug terms and drug writing; they use characters rather than figures.

Q.—After the change there was no such record? A.—No, there was no record whatever so far as I am concerned, not that I know of; that record and that check on the work disappeared with the amendments of last session, disappeared altogether. Up to that time you could keep that end of the work in fairly good shape.

DR. STATE: Before that time a druggist or a physician or any privileged person or physician was obliged to make affidavit whether he sold liquor or not? A.—No—

Q.—The only exemption was the Minister in that respect, he was not required? A.—Yes, the sales to clergymen and the sales for mechanical and scientific purposes; there was no record of that at all. The Act didn't call for anything of that kind.

MR. MACKAY: There would always be a record in the drug store; the prescriptions would be filled? A.—Yes, the druggist would have a trace of that, and the original prescriptions signed by the doctor came into the Department and there was a record.

MR. EWING: That was prior to the 1918 amendment. Since then they don't come into your Department? A.—Since then things were wide open as far as that goes.

Q.—You don't know of any doctors up in the northern end of the province who were not qualified physicians who were issuing prescriptions? A.—I don't know of my own knowledge at all that; there may be on the files letters, if I took time to look for them, that I could produce but now, as a matter from memory, I could not say.

Q.—Who hired the employees in the Vendor's store? A.—Well, they would be hired by the Government; I don't know really who did it.

Q.—What I mean is, did you do it? A.—No, I never was consulted regarding the appointment of any man in the service, any place in the service. I just took those who were sent to me.

Q.—Do you know of any employees in the Vendor's store coming there while you were in charge? A.—Yes, I do.

Q.—Who? A.—Mr. Little came into the service in Calgary; Mr. Bert Little.

Q.—I am speaking of the Vendor's store here. A.—Yes, there was a Mr. Munroe came into the service here.

Q.—Who appointed Mr. Munroe, do you know? A.—I don't know at all; I was out of town on or about the first of June; when I came back a few days afterwards I was in the Vendor's store and I saw a stranger working there. I asked Mr. Webster who he was and he says something that he didn't know; didn't I send him? I says: No, I don't think I ever saw the man before. Didn't you hire him? No, I didn't know anything about him. I went to Mr. Browning and asked him if he knew anything about him; he said he knew nothing about him at all. I later on spoke to the Minister and at that time he said he knew nothing about him, and that man continued in the service without pay or without any account of any kind for the months of June, July, August and September; about the end of September or early in October I went to Mr. Boyle about it, and Mr. Boyle, after discussing the matter with him, he immediately arranged for some order-in-council covering that man's work from the first of June until the end of October with the idea that was his whole and complete service, but so far as where he came from I don't know anything about it; he just came.

Q.—You mean to say a man went into the employ without the knowledge of the Vendor, at least, so far as you know without the authority from the Vendor, without authority from you and without the knowledge of either the Minister or the Deputy Minister? A.—Yes, that is the circumstances so far as I know them.

Q.—As you were informed? A.—Yes, as I was informed.

Q.—Who would have the authority to do that outside of the Minister, the Deputy Minister, yourself or the Vendor? A.—Well, I don't know; I don't know that anybody would.

DR. STATE: Who is that man you are speaking about? A.—Mr. Murdoch Munroe.

MR. EWING: And he remained there all these months without getting any salary? A.—Yes, or without rendering a bill. I had not appointed him or knew anything about him; I didn't ask him to render a bill; he didn't offer to do it. The man did, I think, his work, I think fairly efficiently. I don't consider him an efficient man for the position at all; I think he is a little too slow. Well, he is not a type of man I myself would have hired for that position at all.

MR. MACKAY: You say he did his work fairly well, or what did you say? A.—Yes, well, the man was slow; you would express it that way.

Q.—He wasn't chained lightning, eh? A.—No, I think the man was honest and clean and all that sort of thing.

Q.—He was Scotch; I guess he was all right.

MR. EWING: Handling Scotch, anyway. Were there any other employees that you

know of dealt with in that way? A.—No, I had nothing whatever to do with the hiring of any employees at all. The gentleman employed in Calgary, Mr. Little, is a very efficient man. I don't know of any place you could get a better man for that post.

Q.—What policy did you push through with respect to the selection of those from whom you purchased liquor? A.—Well, I just used my own judgment and I did the business largely as I would do it if I was doing it for myself. I had no specific instructions regarding the purchase of liquor after the stores were opened.

Q.—From whom did you purchase your first order? A.—Bovin, Wilson and Company, Montreal.

Q.—How do you do that? Do you do it by correspondence? A.—That was done by wire. I wired before that, for a certain supply to start the stores with, each of the stores.

Q.—Did you buy any more liquor from them? A.—No, we continued buying from them right during the whole of the time that I was there.

Q.—Through correspondence? A.—Oh, yes, through regular correspondence.

Q.—As they had no agent in Edmonton? A.—Well, I don't know about that.

Q.—What? A.—I don't know. The first order which I gave was solicited for that firm by Mr. Boudreau. He came to me personally about the matter and asked about it.

Q.—Asked what? A.—Asked that they get the initial order.

Q.—That this firm, Bovin, Wilson—? A.—Bovin, Wilson Company of Montreal.

Q.—But you don't know that Mr. Boudreau was their agent? A.—Oh, no, I don't know anything about that at all. I had understood under the old Act that Wilson's Limited here was in some way connected with Bovin, Wilson and Company, Montreal, directly or indirectly, but I had no knowledge.

Q.—You continued to buy from that firm up till you left? A.—Oh, yes, we bought a lot of goods from that firm.

Q.—Well, just mention the other firms that you bought from in large quantities. A.—We bought our alcohol practically all from Hiram Walker and Sons of Walkerville, Ontario. We bought liquor from Corby, of Belleville. I bought Kilmarnock Scotch liquors from Law, Young and Company, of Montreal; I think it is the Canadian agent. At the time that the Dominion Government put the regulations through which closed these exporting houses all over the country there were various stocks of liquors all over and I got a great many—

Q.—Of those? A.——price-lists submitted to me of these liquors. I did buy at different places the different outfits of that liquor which could be used in stores and I bought it largely for this reason, that the prices were—it had been held for some time and the prices at the time submitted to me were away lower for the same goods than the Montreal prices of the same date. There is one shipment specifically which I bought at Kenora and had it shipped through to here in bond; I went into that and I figured that that sale or that purchase as compared with Montreal prices at the date of the purchase, plus freight, saved the Government of the Province of Alberta over \$1,700.00, the one purchase, and I used my judgment regarding those things.

Q.—Had Hiram Walker a liquor agent here? A.—No, not that I know of.

Q.—Or Corby? A.—No, Corby's traveller came through here and Hiram Walker's traveller both, Mr. Sanderson of Winnipeg.

Q.—Or Law, Young & Company. A.—No, they did their work by correspondence through the Canadian Agents for Mac's Scotch Whiskey, that is, the Kilmarnock Brand, you can only buy through them.

Q.—Did you deal with any local agents here? A.—Yes, I dealt with Mr. Teviotdale.

Q.—You mentioned him yesterday. Outside of Mr. Teviotdale? A.—No, I don't know that I did; I don't know of any.

Q.—Did you purchase any liquor from Bell or Sugarman. A.—Yes, I did.

Q.—Outside of the 60 gallons of alcohol that you told us about yesterday. A.—Yes, outside of the 9 barrels, yes. Yes, I did; I made several purchases from them.

Q.—From their warehouse here. A.—Yes.

MR. MACKAY: Here, you mean? A.—Yes, here; right here.

MR. EWING: Does that warehouse still exist, do you know? A.—Well, I don't know; it was in existence when I went away from here or shortly before. When I purchased some liquors there they had a carload of gallon jars made by the Red Wing people in Minnesota and they are the best jars that are made. I arranged to buy that outfit at 20 cents per gallon jar, delivered on to my shelves in small orders. Our shelving would accommodate about three or four hundred gallon jars and in small orders of that kind, and one of those orders came in just a few days or practically about the time I went out of the service.

Q.—You didn't buy the jars filled? A.—Oh, no, they were empty jars; we had been buying from Redcliffe, and probably an average of one out of twenty there was a sand-hole or something in the Redcliffe jars; they were not just as satisfactory as the others.

Q.—While the influenza was on last fall you had some discussion re curtailment of sales of liquor, or did you have any such discussion? A.—Oh, I don't know you would call it discussion; I had an interview with the minister and I told him the circumstances.

Q.—Just tell us what you told the minister. A.—Well, I think we discussed that among other things and the influenza epidemic made such a very large increase in the business that I considered until some new stocks were coming forward there should be a reasonable curtailment. I do not know how far we went into the discussion at all, but we did discuss the matter. The

point was this, that, on the 5th, that letter that was produced yesterday, that tied my hands for quite a long time regarding getting orders forward. Until I had an interview with the Minister I felt I could not make any further orders and as a consequence between the time of the receipt of that letter and the 30th October, when I had an interview with Mr. Boyle, there were no liquors ordered, that is for about a month.

Q.—That is for about a month? A.—Yes, for about a month there were no liquors ordered at all.

Q.—I am coming to Mr Boyle's office. What attitude did Mr. Boyle take with reference to that? A.—Well, I consider his attitude very fair at that time we discussed the matter.

Q.—You misunderstand me, I am not talking about whether you thought it fair or not. I am asking what stand did he take in connection with it, what did he say? A.—Well, I don't really know what he did say. I thought that he agreed with my ideas reasonably; he didn't discuss it contrary at that time at all.

Q.—Did you have any subsequent discussion with him on that subject? A.—No, not on that subject, I don't think.

(Mr. Ewing asks for some letters. Messenger sent for same.)

Q.—You stated in your letter to Mr. Boyle, Mr. Forster—I am quoting from memory, I am not quoting the exact words—"that even I think it would be advisable to reverse your order to give the druggists all they want"—that is not the exact language but words to that effect. What have you to say with respect to that? A.—Well, Mr. Boyle paid a visit to the premises, the afternoon after I had had an interview with him, I think that would be the first Saturday in November, and while there he asked me if the Liquor Act didn't provide now that druggists could get what liquor they wanted. I told him that it did, and he told me either to give them what they wanted or what they needed, I am not sure which word.

Q.—What they wanted? A.—What they wanted or what they needed. I could not repeat from memory the exact words at all.

Q.—You understood by that, that the druggists were to get all that they wanted. A.—Oh, yes; yes, it is the inference.

Q.—And, as a matter of fact that policy was continued. A.—Well, I was not around to know.

MR. MACKAY: He was not around.

MR. EWING: So far as you are concerned. You also stated in that letter that in your opinion—

MR. MACKAY: Where is the letter?

MR. EWING: It is being brought in.

MR. MACKAY: I have some copies of letters. It is in that bunch (handing to Mr. Ewing).

MR. EWING: Is this the Boyle and Forster correspondence?

MR. MACKAY: Part of it; it may be all, I don't know.

MR. EWING: This is the one I want (quotes); "Even yet I consider it would be sensible and advisable to modify your orders to give the local druggists all the liquor they want."

Q.—That is a statement contained in your letter to Mr. Boyle, November 7th, 1918? Well, was any curtailment made as a result of your representations to the Minister? A.—No, not that I know of; it would not come to me if there was. I would have been away from authority there.

MR. MACKAY: That is on the 7th? A.—This letter is dated on the 7th.

MR. EWING: Well, I am only asking for your knowledge. You don't know of any curtailment. A.—No, I don't know.

Q.—Then you go on, "I do not consider that one-fifth of the liquors going out legally are being used within the meaning of the Liquor Act". A.—Yes.

Q.—What grounds had you for stating that? A.—I don't know; that was my opinion.

Q.—But on what did you base your opinion? A.—On the large orders that were coming in and the way the business had been all during the summer. You see, I couldn't, I don't think, give anything specific; it was my opinion absolutely. I have discussed with Mr. Webster and he has discussed with me these large orders; he has come to me and asked my opinion.

Q.—Just while you are on that. You and Mr. Webster discussed some large orders coming in from some houses. A.—Oh yes, we have, frequently.

Q.—That is some houses were sending in some specially large orders. A.—Yes.

Q.—Sufficiently large to create suspicion in your mind and that of the vendor, so far as you know. A.—Well, I don't know if I would use the word "suspicion"; it was sufficient for us to discuss the matter from a business way.

Q.—Sufficient to arouse at least discussion? A.—Yes.

Q.—Who were some of the houses that caused you to discuss their orders? A.—Well, I think that at Peace River—the druggist at Peace River two or three up there, their orders were very large, and the orders of Mr. Archibald here in the city were large, and the orders of the Dominion Drug Company.

Q.—Mr. Archibald and the Dominion Drug Company were very large. A.—Yes.

Q.—Did you take any steps to attempt to investigate these houses? A.—No, not myself it wouldn't—

Q.—Well, did you initiate any person— A.—No, it wouldn't come under my work. When the Act was amended the investigation in connection with druggists and drug stores and

doctors after that time was handled, I think, by Mr. Browning through the Provincial Police or through special inspectors. I had nothing whatever to do with it at all.

Q.—What I want to get is this. How would Mr. Browning or the Provincial Police get information as to certain druggists receiving what appeared to you to be unusually large quantities? A.—Well, I know very little of that of my own direct knowledge. I know that certain inspectors were sent out to make inspections; one of the inspectors came to me with reference to this matter and told me some of the——

Q.—What inspector came to you? A.—Inspector Garrison in the city here.

Q.—What did Inspector Garrison tell you? A.—He told me he had been sent to inspect the papers and books and so forth in the Dominion Drug Company's Store.

Q.—That Mr. Garrison had been sent to inspect the papers in the Dominion Drug Store? A.—Yes.

MR. MACKAY: About when was that, what date? A.—It was during the summer some time, he just casually came to me; I don't think he came particularly to report it to me.

Q.—Did he tell you the results of his inspection? A.—Well, from what he told me he said, things were very unsatisfactory and that he had found a great number of prescriptions there and he had found the names of those who at that time he did not know——

MR. MACKAY: Garrison is in the city; I suppose we had better call him.

MR. EWING: Still, he was in the employ of the city and he told the man who was in charge——

MR. MACKAY: No, he told a man who had nothing to do with it.

WITNESS: I wasn't in charge.

MR. EWING: This is the man who was Chief Inspector at the time.

THE CHAIRMAN: I think you had better call him, Mr. Ewing.

MR. EWING: Oh yes, I am quite willing to call him but it means this——

MR. MACKAY: If he was reporting to this man as a superior it would be in the ordinary course of business, but he isn't. This man said he had nothing to do with it and he is in town.

MR. EWING: Another thing is, Mr. Forster wants to leave. I don't know what Inspector Garrison is going to say. Here we have a conversation between Inspector Garrison and a high official in the Liquor Department.

MR. MACKAY: It would not be evidence.

MR. EWING: It would be evidence that Mr. Garrison said something to what Mr. Forster said.

MR. MACKAY: If Mr. Garrison said something different from what Mr. Forster said.

MR. EWING: Yes.

MR. MACKAY: You don't want to go—— A.—I would like to stay as long as there is anything I can do or any information, but really I want to get away; I don't want to go while there is anything I can say or do.

MR. EWING: You never went around yourself to any of these drug stores, did you? A.—No, not to do that. The City Police took a case against Archibald at one time, probably in the winter of last year, a year ago last winter, and I was summoned as witness, and after the case was over Archibald asked me to go to his drug store and look over the records he kept and see if I thought they complied with what the Act required, and I did that. I didn't go into any particular details but I went over his books and told him I thought he was keeping those things as he should. That is the only occasion.

Q.—That is the only drug store you ever made any investigation of. A.—That is the only drug store, yes, that I have been personally asked to go in or have gone into this matter at all.

Q.—By the way, do you know anything about a seizure of certain liquors alleged to be the property of a man named Girvin? A.—Oh yes, I know that.

Q.—Where were they seized? A.—They were seized at Lethbridge.

Q.—What became of the liquor? A.—They were confiscated on the order of Inspector Pennyfather of the Provincial Police. The record of the conviction of Girvin came to me in the ordinary way and was entered in the books, and the liquors in the ordinary way came to me by express at Calgary and they were stored in the Calgary warehouse.

Q.—As confiscated liquor? A.—As confiscated liquor. I think there were 120 cases seized; 119 came into our possession. One case was apparently either lost or stolen in the Dominion Express Company and I put in a claim to the Dominion Express Company for that loss. The other 119 cases came into my possession and shortly after they came into my possession suit was entered against me in the Supreme Court claiming \$4500.00 in connection with that I think it was.

MR. MACKAY: Suit by Girvin? A.—By Girvin, yes.

MR. EWING: For unlawful seizure? A.—No, they sued me as the custodian of the liquor; they didn't sue the Government; they sued me personally as the custodian of the liquor.

Q.—And what happened in the lawsuit? A.—Well, the liquors remained there and were there at the time of the audit when I left the work, and I turned them over to Mr. Bayne on Mr. Douglas' telegraphic instructions and received Mr. Bayne's signature to it and it appears in the auditor's report, and subsequent to that I don't know what——

MR. MACKAY: They were at Calgary. A.—At Calgary.

Q.—Did Girvin ever finish the suit? A.—I was called up for examination for discovery.

Q.—Was the suit ever tried? A.—Well, I don't know, that was as far as it got with me, I was examined for discovery.

MR. EWING: You were the defendant in the action? A.—Yes, they sued me personally.

Q.—You would probably know if you were tried, wouldn't you? A.—Well, I consider——

MR. MACKAY: You will get into notoriety if you keep on. A.—Well, I considered that when a successor had been appointed to me that automatically he would become the custodian.

Q.—They would substitute him as defendant. A.—Anyway, I wrote a letter to Mr. Browning to that effect, that I considered the liquors were now in Mr. Douglas' possession.

MR. EWING: He ought to be the defendant.

MR. MACKAY: They would substitute him of course. A.—That is all I know about him.

MR. EWING: That is that liquor was handed back or got back to Mr. Girvin? A.—Well, I don't know. When I was in Calgary a week ago Monday I went to Mr. Bayne to get copies of the Liquor Act and while he was there he showed me through his warehouse and I asked him, "Where are the Girvin liquors?" and he said he had received some orders a short time ago to ship them to Montreal. That is all I know about it.

Q.—To ship them to Montreal? A.—That is what he stated to me.

Q.—Of course, you didn't know who the order was through? A.—Oh, no, I don't know anything about that.

Q.—It looks as if your suit was over, then. A.—I expect so.

Q.—Now, you told us you did not know whether you resigned or whether you were dismissed, I think? A.—Well, I considered Mr. Boyle's letters to me were dismissal.

Q.—You looked upon it as a dismissal? A.—Yes, as I could not carry on under the circumstances, that is all.

Q.—Tell me just why you couldn't carry on under the circumstances? A.—Well, I did not think that my—I did not feel that my service, would be the service that Mr. Boyle wanted after writing me those letters at all. I considered that the Minister should have absolutely loyal service if he wants to make his department a success, not only loyal but it should be sympathetic and everything like that. After those letters I didn't feel that I was wanted and that a change would be beneficial for everybody.

Q.—You expected to be discharged, did you not? A.—Oh, well, no, I would not say that I expected to. I had heard various reports that I was going to be either discharged or removed from that position, but that I expected it I couldn't——

Q.—Do you know who those reports were coming from? A.—Well, they were attributed to Mr. Boudreau in reports coming to me.

MR. MACKAY: That is hardly evidence. If you are going into that he had better tell us who told him and what was told, if you think it is worth while, and then that would not be evidence.

MR. EWING: What did you in consequence of these reports. A.—I brought them to the attention of the Minister; I saw the Minister personally about them.

Q.—What Minister? A.—Mr. Boyle.

Q.—About the report that you have mentioned? A.—Yes. I told him about the stories that were going around connecting—well, the story was that my dismissal or removal had been promised by him. I told him that; we discussed it quite frankly and he said as far as he was concerned it was quite untrue.

Q.—Well, did you go to any other Minister about this question. A.—Oh, yes, I spoke to Mr. Mitchell about it when Mr. Boyle was away. I think Mr. Mitchell was acting Attorney-General, I spoke to him about it.

Q.—And did you speak to Mr. Browning about it? A.—Yes, I have spoken to Mr. Browning about it.

Q.—Well, did you discuss merely your dismissal. A.—No, it was the story, the story that had come to me that I would be dismissed.

Q.—Just tell us what the information you had was. A.—Well, it was to the effect that I was to be dismissed to make room for somebody else. I could give you probably the one thing that had the greatest bearing on it in a few words.

Q.—Well, tell us. A.—Well, certain parties had spoken to me about it that they had heard it; one of them got his information, he said, very direct and he was practically sent to me to give it to me, but probably two or three weeks after I first heard it Mr. Cross met me on Jasper Avenue casually in front of the C.P.R. building and he says, "Mr. Forster, go and see Mr. Boyle about it." I said "Mr. Boyle is out of the city." He says "See Mr. Stewart." I said "Mr. Stewart is out of the city." He said "See Mr. Mitchell," and I did. That was what I considered the most important thing that came to me in connection with this liquor, and that was just practically the words of conversation on the street. It wouldn't—I don't suppose we were occupied three minutes in the conversation, he went his way and I went mine and I did what he suggested to me under the circumstances, that is all.

Q.—Well, did you discuss with the Minister anything more than merely the report that you were to be dismissed? Did you discuss the reason why you were to be dismissed. A.—Yes, I told him the story.

MR. MACKAY: Is this Mr. Boyle?

MR. EWING: Yes, or Mr. Browning? A.—My discussion with Mr. Boyle covered a great many points. This would be very brief as far as that is——

Q.—I am speaking on this particular point now. Did you discuss with him the reason for your dismissal? A.—No, I merely repeated to him these stories that were going around.

Q.—Well, now, what stories?

MR. MACKAY: When was this? Was this before any of these letters or not? A.—Oh, this was before.

Q.—Before November 4th, you mean? A.—Yes, I think it was a Friday night, the 1st November, I think. I think that would be the day.

MR. EWING: Just what did you discuss with Mr. Boyle concerning your dismissal?

MR. MACKAY: He has not said he discussed dismissal at all. He said he discussed stories that were told him he was going to be dismissed. A.—There was no question of dismissal at all, but among other things I brought to his attention these stories. He told me as far as he was concerned there was nothing.

MR. EWING: What did you bring to his attention? A.—The report that I was to be dismissed, and that he had promised my dismissal; that was practically the story.

Q.—Did you tell him the reason for your supposed dismissal contained in the reports you had heard? A.—No, I don't think we discussed that at all.

Q.—You don't think you did? A.—No; just the mere facts as I brought them out here. I don't think it went far beyond that, or if it went at all beyond.

Q.—Did you go into anything with the discussions you had with either Mr. Mitchell or Mr. Browning; did it go beyond that? A.—Oh, yes, I think I discussed the matter at more length and more freely with them, you know.

Q.—Well, we will take the discussion with Mr. Browning. Did you discuss with him the reported reason why you were to be dismissed? A.—Well, now, I could not say exactly; I think we discussed the matter rather fully, you see. I am generally pretty frank with Mr. Browning about all these matters, but I don't know how far——

Q.—What was the reason you were to be dismissed? A.—Oh, well, so far as that, my attitude in handling the stores was too strict, practically, and that I was to make way for somebody who would allow probably a little latitude. In a few words that is about the trend——

Q.—That you were handling the stores too strictly and you were to make way for somebody who would handle it with more latitude? A.—Yes.

MR. MACKAY: As a matter of fact, he was not handling the Vendors' stores at all.

MR. EWING: That is a matter of argument; we will discuss that later.

MR. MACKAY: I am pointing it out.

MR. EWING: Had there been complaints to your knowledge of your being too strict about the handling of the business? A.—I don't know if there would be any specific complaints——

Q.—I don't want you and I to lose ourselves on words. Was anything in the nature of complaints that you know of about your being too strict in the handling of the business? A.—Well, I considered lots of these orders were too large. Mr. Webster has come to me about the size of a lot of these orders and I have come to him and we have discussed the matters just in a——

Q.—Both you and Mr. Webster at different times thought orders were too large? A.—Oh, yes, undoubtedly.

Q.—And your inference was they were not being used for legitimate purposes? A.—Well, I wouldn't just go that far.

Q.—You wouldn't go that far; you wouldn't think they were getting too large orders for strictly medicinal purposes, would you? A.—My opinion was that the orders were too large for strictly medicinal purposes. There is no question about that; that was my opinion.

Q.—Who had complained about your interference in this way?

MR. MACKAY: What is that question?

MR. EWING: I asked him who had complained——

MR. MACKAY: About what?

MR. EWING: About his interference.

MR. EBBETT: There has not been any question of interference yet.

MR. EWING: Well? A.—Well, I don't know of any specific case I could give; large orders were going out and particularly to the two druggists whom I have named, that is, Archibald and the Dominion Drug Company, and in the way of business, the business was growing very fast, and probably some times Mr. Webster and his assistants could not get out the orders, perhaps, just as fast as some of these druggists would like it, and I think I am safe in saying this, that at least three druggists have come to me—I would not use the word "complaint"—and asked—the thing is this, that they did not think they were getting as good treatment as Boudreau was getting, to use their own words, and they asked to be put on an equality with him.

Q.—Three different druggists came to you and asked to be put on an equality with Mr. Boudreau? A.—Well, I don't know as you would call it complaint, but they came to me about it.

Q.—What did you say to them? A.—I don't know, I am sure.

Q.—What? A.—I don't really know what reply I made to them.

Q.—I suppose you were in favour of all druggists being put on equality, were you not? A.—I think, in discussing the matter with Mr. Webster—he came to me at different times, and I think invariably I told him to use all the druggists the same. It would certainly be a very

poor system if there was any favouritism shown in a business of that kind. He was quite frank in coming to me and discussing those matters and I was just as frank and open to him.

Q.—What reason had you, or have you any reason, for connecting your dismissal with anything you did in connection with these complaints?

MR. MACKAY: You asked him his reason for connecting his dismissal with these complaints. I have not had any evidence that the witness says they are connected at all. It was a double question, I see. I cannot follow a double header.

MR. EWING: Well, have you any reason for connecting your dismissal with any of these complaints—perhaps you might not call them complaints, any of these statement that were made? A.—Well, yes, these stories were going around; they irritated me; they bothered me, I did not like them. For one thing, there was the question of not being able to get help and over-work.

Q.—I am not referring to that; there were a lot of things contributed to your— A.—Yes, there were a lot of things; several things. I was perfectly satisfied to be away from the business. When I got away I was glad to be free of the liquor business.

Q.—Do you remember having an interview with a gentleman in the month of October in connection with the question of your dismissal? A.—Yes, I do.

Q.—Where did that interview take place?

MR. MACKAY: October, did you say?

MR. EWING: Yes. A.—It took place in the Vendor's store, not in the Vendor's store but on those premises, in the rear part of the premises. If I say store I don't mean in Mr. Webster's, but I mean on those premises; they were all connected there together. I don't want it to be confused, that is all.

Q.—Yes, we understand that. Who was that? A.—It was Mr. Itzweire, proprietor of The Majesty Theatre.

Q.—What did Mr. Itzweire tell you?

MR. MACKAY: Well, now, is that evidence, what Mr. Itzweire told him? It is perfectly good evidence what he said to a Deputy Minister or a Minister, but surely you have got to keep away from hearsay.

MR. EWING: Of course, this was in direct conversation with Mr. Itzweire.

MR. MACKAY: Itzweire, I suppose, is in town?

MR. EWING: Well, of course, he is not in the employ of the Department.

MR. MACKAY: It does not matter; he is available as a witness.

THE CHAIRMAN: You had better get him if you want him, Mr. Ewing.

THE WITNESS: I don't think he is in the city; he will be away for a week.

MR. EWING: All I can say, Mr. Chairman, is we have sought to circumscribe the calling of witnesses where we could get what they have to say by conversation. It is quite true if we were following the strict lines of evidence—

MR. MACKAY: You are practically now trying to make a case against a Minister of dismissal. It is what I gather it, and we had better have direct evidence if we come to that.

MR. EWING: You had a conversation with Mr. Itzweire?

THE CHAIRMAN: I don't think that would be permissible.

MR. EWING: That question would certainly be permissible.

THE CHAIRMAN: Well, you had better not go any further.

MR. EWING: Well, I will put the question and you object to it.

Q.—The conversation with Mr. Itzweire concerns your dismissal? Don't answer the question.

MR. MACKAY: Is that in October. A.—Yes, some time in October.

MR. EWING: Do you disallow that question?

(Question read: "The conversation with Mr. Itzweire concerns your dismissal?")

THE CHAIRMAN: Yes, you may answer the question.

A.—What was the question? (Question read again.) Yes.

MR. MACKAY: It couldn't concern it if it was October.

MR. EWING: I mean, concerned your suggested dismissal.

MR. EBBETT: Concerned rumours of the dismissal? A.—Yes, that would be more like it.

MR. MACKAY: Yes, concerned rumours. I don't know that he was actually dismissed; from the correspondence. You don't consider yourself dismissed, do you? A.—No, I—

Q.—No, of course not. What is all this stuff about? A.—You can either consider it a dismissal or resignation.

MR. EWING: I am using the words. You can either say "dismissal" or "resignation," or his leaving the service of the Government. A.—I asked to be relieved of the work, and I asked for dismissal in one letter and Mr. Boyle wrote me accepting my resignation.

The letters have all been before this Committee for two weeks.

MR. MACKAY: I am coming to the witness' rescue. You are using "dismissal"; it is hardly fair for you to say—

MR. EWING: He said a few moments ago he considered it a dismissal.

Q.—What was the conversation with Mr. Itzweire concerning your leaving the service—it does not matter—don't answer the question till the Chairman—

THE CHAIRMAN: I don't think that conversation should come in as evidence at all. I don't think it is evidence.

MR. EWING: Well, I am submitting it to the Committee.

MR. MACKAY: It is clearly not evidence. The man is in town, or will be. Let us stick to something like a rule.

MR. EWING: You disallow that?

THE CHAIRMAN: Yes.

MR. EWING: What did you do in consequence of that conversation? A.—I don't think I did anything directly in consequence. That was one of the factors that brought the matter to an interview and talk with Mr. Boyle. It was just one of a number of incidents.

Q.—Did you repeat to Mr. Boyle the conversation with Mr. Itzweire? A.—No, I didn't.

Q.—Did you tell him the substance? I am not meaning now did you mention Mr. Itzweire's name, but did you tell Mr. Boyle the substance of the conversation with Mr. Itzweire? A.—No, with Mr. Boyle I didn't go beyond telling him that I think Mr. Boudreau was circulating these stories that he had promised my dismissal.

Q.—Now, just a minute. Then, with any of the other officials of the Department, with Mr. Browning or anyone else, did you discuss the subject matter of the conversation with Mr. Itzweire? A.—Yes, I think I discussed with Mr. Mitchell. I would not be positive, but I think I did.

Q.—What did you tell Mr. Mitchell? A.—I told him the whole conversation.

Q.—Well, tell it to us now. A.—Is that——

Q.—There is no question about that, Mr. Forster.

MR. MACKAY: Oh, give us the substance of it. A.—Well, the substance of it was this, that Mr. Itzweire 'phoned me at my house at noon, asked me if I would call at the theatre——

MR. EWING: You are—— A.—This is what I told Mr. Mitchell. He asked me to call in on the way down, over the 'phone, and I told him I was too busy to stop off at his place and talk to him. At that time the 'flu was just starting and at that time we were so busy it was almost impossible to handle the work right. Everybody in connection with the work was busy. He says: "This matter is important to you." I said: "Have you got time to come down and 'see me?'" He said he would. He came down in the afternoon and talked to me while we were working, and what he said was this, that Mr. Boudreau had been to him, or had been talking to him and told him that he had a promise of my dismissal, and that Mr. Boudreau had mentioned the name of Mr. La Bissonniere, or something like that, who had formerly been in the liquor business, and that he would be my successor or that he would be in the stores; I wouldn't say that he would be my successor. That he would be in the store, and that when he was in there Mr. Boudreau would get greater privileges than what he could when I was in there. That was the tenor——

Q.—Of what you told Mr. Mitchell? A.—Yes, about that.

Q.—What did Mr. Mitchell say? A.—I don't know that he made any particular remarks about it at that time. It was in the course of conversation about other matters too.

Q.—Did you repeat that story to Mr. Browning? A.—I couldn't be positive whether I did or not. I rather think I did, but I would not be positive about that.

Q.—But you didn't tell that to Mr. Boyle; you simply told him—— A.—No, I just gave him a bare outline of the statement.

MR. MACKAY: Mr. Mitchell and you were old friends? A.—Yes.

Q.—Of long standing? A.—Yes; long, long standing. Quite naturally I should talk things over with him if I had an opportunity.

I would like to have these papers produced. I would like to make some statements with reference to these particular papers. When I was questioned yesterday, Mr. Chairman, with reference to the transactions with Alexander MacDonald, of Leith, Scotland, I was not in a position to state definitely just from my memory as to whether these different shipments of liquor came to me personally or came to Mr. Teviotdale; but these files and these invoices on the files, I would like them put in as evidence because here are the——

MR. MACKAY: You can tell what they are, where they were shipped to. A.—They are here. From Alexander MacDonald Limited, per S.S. "Montcalm," from Glasgow to Montreal, on account F. G. Forster, Esq., Chief Inspector, under the Liquor Act for the Government of the Province of Alberta, Edmonton, as per instructions received from J. R. Teviotdale. That was the transaction.

MR. EWING: Were there more than one? A.—Yes, there were two transactions in my time, and there were two for which I had arranged and which came afterwards.

MR. MACKAY: You don't need to put in lengthy documents; if this evidence is printed, there will be no need—that is what you want to point out? A.—That is what I want to point out. There are one or two things here; this cheque of September 6th, is the cheque which I issued in payment for the first of those shipments, and here is the other cheque——

Q.—Are the cheques to MacDonald? A.—Yes, the cheques are to Alexander and MacDonald, of Leith, and they are endorsed on the back "Alexander and MacDonald, per Teviotdale, Attorney." The point was this, I had in my possession at one time, before I would do this business, this letter showing his right to act as attorney.

Q.—His power of attorney? A.—I could not find it yesterday, but I think it must be in the bank.

Q.—I think everybody can assume that. A.—Those are the gist of the points I want to

clear up. There seems to be some doubt about the regularity. There was some other files I asked for, but they had no bearing on that.

THE CHAIRMAN: Any members of the Committee wish to ask Mr. Forster any questions?

CROSS-EXAMINATION BY MR. MACKAY:

Q.—Mr. Forster, the only thing that I don't clearly get is what your duties—you were Chief Inspector for the last while? A.—Well, from——

Q.—Let's get it. That was your title, Chief Inspector. A.—Yes, I had been Chief License Inspector.

Q.—I mean, since this Liquor Act came into force that has been your title? A.—Yes.

Q.—You see, you have given a lot of evidence that you discussed things with Webster and Webster discussed things with you? A.—Yes.

Q.—And then there is a suggestion, or at least the rumour is that you might be dismissed because apparently people weren't being treated and liberally as they liked—that is the substance? A.—Yes.

Q.—But I understood from you yesterday—today—that you did not control the Vendor at all. What I am trying to get at—— A.—I am not clear on that myself.

Q.—We will work it out. Now, come, take your time. I haven't got a clear idea of what your duties really were, Mr. Forster; I mean as between you and the Vendor. As Chief Inspector, I would suppose you would inspect everything? A.—Well, I think I——

Q.—I think you did. To be fair to yourself, I think you did. A.—Yes.

Q.—And as you tell us today, it throws some light on it. Mr. Webster would speak to you about the large shipments and so forth; you would discuss and advise one another in that way? A.—Yes.

Q.—In that way, of course, you were taking some charge? A.—Yes.

Q.—I would suppose, as Chief Inspector, you would have the right to inspect everything; have some control over the Vendor and everything—perhaps not? A.—No, under the Act there is provision for the appointment of a Vendor, and under the Act I don't think there is provision for an appointment of anybody else specifically, but Section five or six says that the Lieutenant-Governor-in-Council may do certain things for the enforcement of the Act.

Q.—For the carrying out of the Act? A.—For the enforcement of the Act. The language of the Act before it was amended, the words "Chief Inspector" were in the Act twice and they had only reference to magistrates making returns of convictions to the Chief Inspector. They were eliminated about a year ago.

Q.—I am not so particular about the legal effect. I am trying to get at what you conceived your duties to be, if they weren't clearly defined. Wouldn't that cover supervision over the Vendor? A.—Yes, well, I considered I had a certain supervision over the whole business.

Q.—Your attitude yesterday was peculiar. Today you certainly indicate what I would expect; you did exercise a certain advice or have something to do with the Vendor's store? A.—Yes.

Q.—You would have the same relationship, although you would not be down there, to the Calgary Vendor's store? A.—Yes.

Q.—Speaking of Mr. Teviotdale, I think you told me he was not paid by you or the Government? A.—No, he was never paid, Mr. MacKay.

Q.—How long had you him working for you? A.—Well, he wasn't working steady. He worked on and off for me, I would judge, probably five weeks.

Q.—I think you told us Mr. Boyle would be down there about Friday, the 2nd of November? A.—Saturday, the 2nd.

Q.—Well, the first Saturday in November? A.—Yes.

Q.—And you let him go. Apparently Mr. Boyle did not know Mr. Teviotdale was helping you? A.—Oh, yes, Mr. Boyle did.

Q.—Before that? A.—Yes; the first—probably two or three weeks before this the matter had apparently been discussed and I was 'phoned to come up to these buildings.

Q.—'Phoned for by whom? A.—I think it was by Mr. Mitchell, and the question of these orders going to Teviotdale——

Q.—When you came up, who did you see? Take your time. A.—I saw Mr. Boyle at the outside of the door of the Executive Council office.

Q.—On that occasion? I am just following the one thing. Don't get to anything else. On that occasion, did you tell Mr. Boyle Teviotdale was with you? A.—No, I think it was Mr. Mitchell who had 'phoned for me and I asked Mr. Boyle if Mr. Mitchell was within the room; he said, no, he was in his office.

Q.—So you had no conversation then—— A.—No; no conversation.

Q.—That does not help us any. I gathered from the correspondence that Mr. Boyle, the Attorney General, did not know Teviotdale was working for you at all until he went down there and saw him there. What do you say as to that? A.—Well, I couldn't say directly as to Mr. Boyle.

Q.—Well, can you say directly as to any of your superiors? A.—Yes.

Q.—Mr. Browning? A.—I think Mr. Browning knew about it. Mr. Mitchell did, anyway.

Q.—Let us take one at a time. Why did you think Mr. Browning knew Mr. Teviotdale

was working for you? A.—Well, I may have discussed it with him or it may have come up in the ordinary discussion, but I could not say that definitely.

Q.—You may have. Just take it slowly. You don't recall any occasion? I don't mean the definite time, but you don't recall the fact or an occasion of your having told him that Teviotdale was working for you, do you? A.—No.

Q.—I see you say in your letter—at least, I have no doubt when this controversy comes up—it is rather controversial; the reason I am asking you, I would judge from the Attorney General's letter of November 4th—it is quite frank and quite plain what he says. This was written November 4th, and it would be the 2nd or 3rd he saw it: "I was surprised to learn you had a man whose name I think was Mr. Teviotdale was employed without the knowledge of the Deputy Attorney General or any person in this Department as far as I am aware." He puts it plainly. That is the way he puts it; that is why I am asking you. A.—Yes.

Q.—You cannot give us any circumstances or occasion on which you told either the Deputy Attorney General or the Attorney General? A.—No, I don't remember that.

Q.—And it is apparent, and I am not going to discuss who is right, it is apparent that the Attorney General made it plain to you that he did not want a policy pursued of reducing the liquor? A.—Oh, yes, there was nothing done after that.

Q.—You had your view and he took his. He instructed you not to reduce or dilute any more and you didn't? A.—Oh, no.

Q.—There is absolutely no dispute about that. Then, would this man Teviotdale—was he out of your presence diluting or reducing the liquor? I think you had better explain that. A.—Well, he worked here. We were working together in the buildings all the time.

Q.—Yes, in Edmonton? A.—Yes. On one occasion he went to Calgary and did certain work under my instructions.

Q.—What did he do in Calgary? A.—Well, I couldn't just tell you.

Q.—I have asked you what did you instruct him to do? A.—I think it was to turn over to Mr. Bayne some certain liquors. There was brandies and Scotch liquors which were locked up—

Q.—Which were locked up in the ware room? A.—Locked up in the ware room.

Q.—Would it be right to say there would be a ware room locked up that would not be part of the Vendor's stock at all? A.—Yes.

Q.—Would it be right to say you instructed Teviotdale to go down and turn liquor that would be locked up in the ware room over to Mr. Bayne? A.—Yes, and bring me back Mr. Bayne's receipt.

Q.—How long was Mr. Teviotdale gone? A.—He went down on one midnight train and back on the next.

Q.—Did you give him the keys of the ware room and the Vendor's shop down there? A.—No, just the key of that one ware room; there was three rooms down there.

Q.—You would give him the key of the ware room and he would go in and hand the liquor over to the Vendor? A.—Yes.

Q.—It would be under the same roof? A.—Yes, right directly under the Vendor's store. At that time we were so busy on account of this influenza epidemic it was absolutely impossible for me to get down.

Q.—I am glad you mentioned that. As a matter of fact, when the 'flu came on there was a tremendous call from druggists all over? A.—Oh, yes.

Q.—I suppose you remember about that time, although you weren't in my Department at all, I called you in? A.—Yes.

Q.—Explained the druggists were raising a tremendous row that their orders were not being filled; do you remember that? A.—Yes.

Q.—You talked it over? A.—Yes.

Q.—Under the Act, of course, the responsibility would be on the druggist; so far as the Vendor is concerned, he would fill the order. If we want to go to the Act, there is no limit named. A.—No; no limit in the Act at all.

Q.—While you were there, before Mr. Boyle interviewed you, these complaints would come to your notice in some way, I suppose, that the druggists were complaining that their orders were not being filled and they were running out of liquor, or did they? A.—No; they didn't come to me, but I could see, by being in the store each day, the great amount of work that was there, and I knew of my own—

Q.—You are not getting at the point; I don't care about the work; what I want to know is, because I may tell you frankly, as I told you before, they were ringing complaints in to me thick and fast, and I called you in to see whose the trouble was or why they were not being filled. I think you weren't in the office—Did you get that through Mr. Webster, the Vendor, or did you get it through the druggists themselves that there was a pretty general complaint that their orders were not being filled, they were out of liquor? A.—Oh, I saw it myself.

Q.—You mean you saw it yourself? A.—Yes, being in the store—there was a vast amount of orders coming in by mail. I couldn't be there without seeing it, and I know at that time it was almost impossible for the staff there to handle what was there.

Q.—To fill it? A.—Yes.

Q.—In addition to that there was another element I want to call your attention to in addition to that. Did you know there was very general complaint not only that they weren't getting the liquor as ordered, but that when a particular order came in it was not filled, only partly filled,

perhaps a quarter of what they ordered or something of that sort? Did you know that? I am asking you frankly because I think somebody had some responsibility here if what the public told me was true. A.—Well, the big demand for liquors at that time, some of the lines of liquors, for the reasons which I have given you, that I could not order for a month; we run out of liquors, run out of certain lines of liquors, absolutely run out of them.

Q.—You say you could not order for a month? A.—Yes.

MR. MACKAY: Give me the letter.

MR. EWING: It is not here.

A.—Well, it was filed here yesterday.

MR. EWING: Oh, yes, it is there.

Q.—It is quoted in there. I produced the letter here yesterday and left it there. It was a letter from Mr. Browning dated the first day of October. A.—That is the letter.

MR. MACKAY: This is the correct quotation? A.—Yes, I think it is.

Q.—And this is the quotation that you say prevented you making an order during the month of October? A.—Yes.

Q.—Now, let me read it to you. This is a quotation that purports—it is correct, I suppose—a quotation of a letter written by the Deputy Attorney General to you? A.—Yes.

Q.—Apparently that is with reference to the purchase? A.—Yes.

Q.—And you think that letter stopped you from purchasing for a month? It is your own quotation; listen. Quote “I am today directed by the minister to instruct you——” that is written to you? A.—Yes.

Q.—“Not to make any further purchases of liquor without first consulting him,” that is the attorney general? A.—Yes.

Q.—You could have consulted the Attorney General fifteen minutes after that and possibly made an order, couldn't you? A.—No.

Q.—Mr. Forster, I don't want to be unfair to you, but the letter says, “I am today directed by the Minister——” A.—Yes.

Q.—You would understand the Minister would be held responsible and the government would be held responsible for all that was on order. The deputy says to you, “I am today directed by the Minister to instruct you not to make any further purchases of liquor without first consulting him.” Did you consult him about the purchase of liquor during October, and did he turn you down? A.—The Minister?

Q.—Yes? A.—No, I could not get to see Mr. Boyle; I went——

Q.—You spoke of the letter as debarring you from giving the order. I am pointing out that it does not; unless something further the letter does not—— A.—Well, I took it just as it reads there, until I had seen the Minister——.

Q.—That is perfectly right; it was not just as you put it in your evidence, but it is perfectly right. A.—Yes.

Q.—That letter is dated the first October? A.—Yes.

Q.—It is stated to be the first of October; I have no doubt of the date. Now, beginning with October first, I judge from the correspondence that Mr. Boyle was here as late as the 13th. He wrote to you in October and then he went to Ottawa on that Natural Resources thing, I think is the fact——oh, no, I am wrong, it was November, this is October. A.—Yes, during October he was away.

Q.—That suggestion of mine was wrong; I don't know where he was in October. Perhaps we can clear that. As a matter of fact, the liquor did not run out. I understand it never ran out, except certain lines? A.—Oh, no, we didn't run out. The day Mr. Boyle came to me in the store, I took stock the next day and on the vendor's premises there was about \$13,000.00 worth of liquor of various kinds.

Q.—That saves going into it. I suppose the fact is you might run out of a particular brand, but there was always a substitute for medicinal purposes? Would that be right, if you didn't run out—— A.—Yes, you could substitute. My own idea is you could run the business on Canadian liquors if you did not run out without imported stuff at all.

Q.—That is not the point at all; you didn't run out. And we can follow that; you think you could run it on Canadian liquors. You haven't much faith in the Scotch, then? A.—Well, that is my opinion there.

Q.—You never studied medicine, then? A.—No, I never studied liquors very much.

Q.—I would judge from your evidence, Mr. Forster—don't follow me if I am not putting it fairly. I tell you I did not understand your evidence yesterday. I judge from your evidence today that so far as you as Chief Inspector was concerned and so far as Mr. Webster as vendor is concerned, you discussed things, discussed questions of orders; you advised him and he consulted with you right along. A.—Yes, that is as I say, we were very frank about a lot of these things.

Q.—Very frank. If anything that you thought was exceptional came up you were both very frank in discussing it, and about what each thought of it? A.—Yes.

Q.—You did that right along to the last? A.—Yes.

DR. STATE: Mr. Forster, could you substitute Canadian champagne for the practice of medicine? A.—I don't know of any Canadian champagne at all. I did not know there was such a thing.

MR. MACKAY: I want to put one direct question. You were in and out a good deal the vendor's part of the premises? A.—Yes.

Q.—And there was some talk that Archibald's Drug Store and the Dominion Drug Company were getting pretty heavy orders? A.—Oh, yes.

Q.—I suppose there were a good many heavy orders going out then? A.—Oh, yes, there were.

Q.—Isn't it a fact that when the "flu" came on, why, the orders jumped at once or about that time? A.—Oh, yes.

Q.—There is no doubt about that? A.—There is no question, just what I said a few moments ago; we had \$13,000.00 worth of liquor there on the premises, we were doing a business from \$1,000.00 a day and one day it went to \$1,700 or \$2,100; now, how long would the stock last?

Q.—We are not complaining about that. Was that in Edmonton alone? A.—Yes, that was in Edmonton alone.

Q.—What I want to ask you straight, do you know—we will leave out this small question of whether Boudreau asked for a day's credit or something of that sort; I am not dealing with that—but did the Dominion Drug Company or Archibald's Drug Store, or any other drug store that you know of, get from the vendor what you would consider special favours, or special favours speaking broadly? A.—No, I don't think so. I think the vendor acted—so far as I was concerned, I think the vendor acted as his own judgment would dictate.

Q.—Quite so. By that you mean as his own judgment would dictate? A.—Yes, I would tell you this. Mr. Webster came to me with reference to the Dominion Drug Company's orders at one time, and he told me frankly he thought they were too large and I agreed with him, but I told him he was the vendor and not I, and he must use his own judgment, or words to that effect.

Q.—He called your attention to it? A.—Yes.

Q.—But, as a matter of fact, under the law the druggist would be entitled to any quantity he ordered? A.—Yes.

MR. EWING: Now, that is a question of law. I think there is a mistake about that. Don't talk about the law.

MR. MACKAY: I don't think there is any mistake about that. Mr. Forster is a better lawyer than Mr. Ewing, in my judgment.

MR. EWING: That is the reason I want to ask you what the law is.

Q.—You want him to fortify his opinions and you know he is right.

Q.—You mentioned the Dominion Drug Company and Archibald's Drug Store which you said there was some talk about getting pretty heavy orders. Now, take Line's, or take any drug store that gave orders, in all your experience, Mr. Forster—we will leave out the little thing about this credit—in all that you saw do you think that the vendor acted unfairly towards any of them? A.—No, I don't think he was; I don't think he was acting unfairly at all.

Q.—All right, we are getting on very nicely. I don't think he was.

MR. EWING: You are getting opinion evidence now, to which you took exception—

MR. MACKAY: This is not opinion. I am speaking as to your knowledge of courts. You were in and out of that vendor's store right along? A.—Oh, yes.

Q.—You were discussing matters with Mr. Webster and Mr. Webster was discussing matters with you—no opinion. I will put it this way: did you observe anything or in any way did you learn that Mr. Webster was playing favorites in any way as vendor? A.—No.

Q.—You did not, you say absolutely not.

MR. EWING: That is fine. You see, we had some discussion as to opinion evidence earlier.

MR. MACKAY: That is different, that is when you were examining.

Q.—I don't know that you cleared that shipment up, that alcohol. You bought alcohol from Nat Bell & Company through Sugarman, and that alcohol was shipped from Saskatoon to Edmonton? A.—Yes.

Q.—Now, apparently part of the shipment was delivered to you as—well, as inspector, to you for the province in ware-rooms? A.—It was delivered there. I wouldn't be just sure whether it was to me or to Mr. Douglas; it was just at the time—

Q.—Well, Mr. Douglas did not give the order, anyway? A.—No.

Q.—Well, Mr. Douglas was not in long enough for anybody to make him consignee; you gave the order on Tuesday and it came on Thursday? Mr. Douglas did not appear on the scene until Friday? A.—I don't know.

Q.—So far as you know you had nothing to do with filling the order? A.—No.

Q.—Anyway, the order would be arranged that you and Sugarman were taking—now, you gave a certain document to Sugarman as I judge it that would be used before the custom's officer at Saskatoon to release the liquor? A.—Yes.

Q.—You don't remember the exact wording of that? A.—No.

Q.—That apparently covered all the liquor that Nat Bell had in his warerooms at Saskatoon? A.—That was my understanding.

Q.—Your understanding? A.—That was my understanding.

Q.—Well, it wasn't confined to alcohol then, or did they mislead you? Don't let me be unfair to you? A.—No, I want to be frank about it. Nothing else but alcohol was discussed, and they told me there was nothing else there.

Q.—You understood that when you signed the document with reference to the goods, that Bell, or Beil and Sugarman, had in their warerooms at Saskatoon, that it was all alcohol? A.—All alcohol of different grades, yes.

Q.—And you gave a certain document with the idea that they would be allowed to ship it over to Edmonton? A.—Yes.

Q.—Apparently you could not have tied that down very closely because you could have given a document, couldn't you, so it would leave all to be consigned to you? A.—Well, as I understood it, just as I stated yesterday, that a portion of it would come to me, and the rest of it to the Provincial Police.

Q.—But I know, it could have been shipped to one consignee, and doubtless was. Apparently you did not see the car that it came in? A.—No.

Q.—Apparently part of it was delivered to you at the warerooms? A.—Yes, that is right.

Q.—Of course, if you had had it consigned to you, the whole thing, you would have had control? A.—No, I don't think I could.

Q.—But I am not saying there is anything wrong, but you did not do that. Apparently they must have consigned it to somebody else? A.—It was to have been delivered to me and everything paid.

Q.—What I am saying is, you did not give them authority to make the consignment to you whereby you could control the whole thing? A.—No.

Q.—I am not suggesting to you you did anything wrong. If it had been consigned to you you could have controlled the car? A.—No; as I said yesterday, I talked the matter over with Mr. Browning and acted promptly, did it within an hour or less.

Q.—I am not suggesting it was wrong. You talked to Browning and after having talked to Browning you went down and gave this document to Sugarman? A.—Yes.

Q.—Which evidently allowed Bell and Sugarman to ship to themselves or somebody else, not you? A.—Ship it in bond from one bond warehouse to another. It was in bond in Saskatoon in charge of the Dominion—

Q.—But you don't know who the consignee was? A.—No, but coming through in bond I considered it was absolutely protected.

Q.—Well, perhaps it is. A.—That is my impression on all those transactions.

Q.—That is only fair to you; you say so? A.—Yes.

Q.—You got the nine barrels? A.—Yes.

Q.—Now, did you know or did you not know that the police had been ordered to seize the outfit when it got to Edmonton or take charge of it or something before it got here? Did you know that? A.—No, I had no knowledge of that. I have no knowledge til today of that.

Q.—I think I have the information right. I will put the question this way as I think it is. You didn't know that the Attorney General had ordered the police to seize that or take charge of it; it would have to be physical seizure, to seize and take charge of the liquor when it got to Edmonton? You didn't know that? A.—No, but I presume the Deputy Attorney General would have given instructions to the Provincial Police to look after it, not that there would be any seizure or anything of that kind; the portion that didn't come to me, to my mind, must have gone to the Provincial Police, because they were in charge of it.

Q.—What you understand is, you got the nine barrels and the rest the Provincial Police would take charge of? A.—That is my idea, that they would take charge of it.

Q.—Teviotdale was working off and on for you—? A.—Oh, yes.

Q.—I understand, for about five weeks? A.—For about five weeks.

Q.—What was he engaged at when you first engaged him or got him to assist you? A.—He wasn't doing anything that I know of.

Q.—Was he living in Edmonton? A.—Oh, yes, he lives across the road from the offices.

Q.—From—? A.—From my office in the buildings, and I think he dropped in and I told him exactly my position.

Q.—You got him to help? A.—I don't know whether he offered or I asked him.

Q.—If he was doing nothing then, what has he been doing before that? A.—I think he was connected with the liquor business for a number of years.

Q.—Is he the same fellow that is secretary of the Licensed Victuallers' Association? A.—Yes.

Q.—Did you sell any liquor to him? A.—No.

Q.—Did you buy any from him? A.—Yes, I bought either from him or through him—I wouldn't say I bought it from him because I don't think he had any, but I did buy through him.

Q.—Well, you bought through him, the Sandy Macdonald Company—you called it Alexander Macdonald; some of these fellows called it Sandy Macdonald? A.—Well, that was the name of the brand, but it was put up by Alexander Macdonald.

Q.—Did you buy any other liquor from him? A.—Yes, I bought several outfits from him or through him; I bought—there was a large outfit of good liquor at Kenora and had been laying in around there for a year or two.

Q.—Oh, you made that purchase through him? A.—Yes, through him and Mr. Nairn, of Winnipeg. Mr. Nairn was really the agent there.

Q.—When did you make that purchase? A.—Oh, the files would show.

Q.—About when? A.—I would judge it would be in the month of September, I would think.

Q.—Was he supposed to be agent for Nairn or for the Kenora people? A.—Yes, I think he was acting for John Nairn, of Winnipeg.

Q.—He would just be acting as commission agent? A.—Yes, I think he got a commission on the sale.

Q.—Likely. A.—I don't think there would be any doubt about it.

Q.—What else did you purchase? A.—I wouldn't say it was through him, but John Nairn himself had about nine or ten hundred barrels of good "A" brandy in Winnipeg and it was offered to me—

Q.—You bought that direct from Nairn? I will assume that was all right? A.—Mr. Teviotdale either brought the information to me with reference to this being there or he was some way connected with it.

Q.—Now, if there is anything else you bought from Teviotdale, you had better tell us. A.—Well, I think that at the time these various exporting houses went out of business, that I bought some of the stock, that is, the company in Winnipeg had just the same as I bought, Bell's, you see. I may have. I wouldn't be sure of that, but I think that probably I did. I bought at different times, probably half a dozen different outfits that were left in the country at that time, that is, I bought out of them what was fit for our store.

Q.—What you wanted? A.—It was principally Hennessey's and Martell's brandies.

Q.—Whatever you wanted to select? A.—Just standard brands, I bought them wherever I could buy them.

Q.—I suppose you bought them cheaper at that time than you could export— A.—Oh, yes, some of them were absolutely bargains compared with Montreal prices.

Q.—I don't think there is any question about that at all. I don't think there is anybody suggesting that you or anybody else did not do the best financially that you could. Just to make that clear, I think your position is this: Nat Bell could not have consigned the liquor, that alcohol, etc., from Saskatoon to Edmonton apparently, without your giving him some authority, but you say you gave what authority you did after discussing the matter with Mr. Browning? A.—Yes. Full particulars as to all details in connection with that shipment can be obtained from the Excise Office here; it must come through their hands.

Q.—But isn't that summarizing fairly your connection, but I think we will get that. A.—Yes.

Q.—But as far as you are concerned, I don't want you to think I am insinuating you did anything wrong, but I am putting the question straight to you. There are some things—there are little stories about and I want to clear it up while you are here. Your position is, as I see it, that you discussed it with Mr. Browning? A.—Yes.

Q.—And evidently your conclusion was that you had a right to do it and that you did it along the lines that you and he understood? A.—I think it involved something along the line of that special Act regarding warehouses.

Q.—I am not going into the details, but that was the result? A.—I was unfamiliar with the workings of that, because I had nothing to do with that; the Provincial Police had charge of that.

Q.—That was the resultant opinion? A.—That was what took me to Mr. Browning, whether this transaction could be legally done.

Q.—I am not getting at that; I am getting at your position. I think you said already that you understood that the question was investigated by the Attorney General's Department, that is, the shipping of this alcohol from Nat Bell. You must have heard something about it? A.—Well, I just heard—I know nothing of my own knowledge about that.

Q.—Oh, you spoke yesterday of being down in Saskatchewan, did you, while I was out? A.—Yes.

Q.—And how they reduced liquors there; I suppose that is what you were talking about, was it? A.—Well, that was one of the—

Q.—Was that during the period when the vendors under the Saskatchewan Act were selling direct to the public? I suppose it was? A.—Yes, the government of Saskatchewan has twenty-three stores located throughout the province; all the work was done in, like, a main warehouse in Regina.

Q.—But these vendors all were selling under the Saskatchewan Act direct to the public? A.—Oh, yes, the public could come direct to them.

Q.—That is, they would be selling direct to the public for consumption? A.—Oh, yes, there were certain restrictions; they could sell direct to the public.

Q.—You cannot give me any further information, Mr. Forster, as to your jurisdiction as between you and the vendor than you have given me, can you? A.—No, I think, or at least what has come to me is this, I was appointed under certain Order-in-Council and I think that the peculiarity of my position must have been apparent when Mr. Douglas' appointment was made, because it covered things—he was made chief vendor and all that sort of thing, things which should really have been done when I was appointed.

Q.—I don't care what the Order-in-Council was. I fancy, Mr. Forster, you must have exercised control over Bayne too— A.—No.

Q.—To show you, to be fair to yourself, for instance, Webster is vendor? A.—Yes.

Q.—You are the man that would hand him out the liquor from the warerooms? A.—Yes.

Q.—You handed that out; you were beginning to kind of spare the quantities on demand?
A.—Yes, I used some discretion.

Q.—You used your judgment there; that is an illustration? A.—And sometimes they went so far in the matter as this, that if I didn't hand the liquor to Mr. Webster he, in turn, couldn't sell to some druggists, and he curtailed it in that way; if he didn't have it he couldn't sell it.

Q.—Exactly. Leaving the Order-in-Council out—— A.—Yes.

Q.—You used your own judgment? For instance, the vendor would be down there during the "flu" period some days late nights? A.—Oh, yes, he was over-worked.

Q.—Well, everybody worked long hours then; everybody was busy and you fellows were too, I guess. You would exercise your judgment in that way by giving him so much of a certain kind of liquor for the night and so on; you were working the thing in that——A.—Oh, yes, there was no question; he would make his requests to me.

Q.—For what he would need? A.—Yes, verbally, and so far as what I could give him I would give him and take his written receipt for it and then file it at the office.

Q.—I suppose that means merely—in fact, if you were likely to run out of a particular brand you would be sparing, in using judgment? A.—Oh, yes.

Q.—But at no time did liquor run out that you could not find, in your judgment, by substituting the one liquor for the other, as you did? A.—No, at no time did the liquor run out; the high grade alcohol ran out and we substituted a lower brand, just for one day.

Q.—Well, if we only slipped for one day they got what they wanted. A.—But they weren't getting the quality, but a reduced price.

Q.—The poorer quality might be better for them? A.—I think that sold at \$2.00 a gallon less than what we generally carried.

Q.—I haven't shut you off from saying anything you wanted to say in reference to that?
A.—Well, there is one little thing.

Q.—What is it? A.—It will probably come at some other time. While I am here I want to make one particular statement. I will make it at any time you require. It just affects the general conduct of the business by myself and has something to do with some of these rumors of opinion.

Q.—I don't think there is anybody attacking your general conduct? A.—I just want to make a statement.

Q.—Perhaps you would like to make it now; it is not a long statement? A.—Oh, no, just a few words.

Q.—Perhaps you had better make it now? A.—I have it here. It follows some other stuff, but it is this, in this connection, and that refers to the whole conduct of the government business: I desire to state here upon my oath that during my entire term of office with the government of Alberta, I never either directly or indirectly, or in any manner whatsoever, took from any person living or any person now dead, any bribe money, commission or any sort of character of pay or emolument outside of my regular salary from the government or expenses on government work, and I desire to say, too, on exactly the same terms, with reference to the dilution of liquor, that I never in my life sold an ounce of liquor outside of what I sold in the regular way for the government; on two or three days I substituted in the stores for Mr. Webster when he was called away to attend court cases, once in Leduc, other times here in the city, and I think once when he went away, he had an auction sale or something on his own farms and I did his work the days he was away. Now, outside of a few transactions like that and one or two transactions during this epidemic, during the rush, I got together one or two, but outside of that, so far as myself personally is concerned, I never in my life sold a drop of liquor to any man. I just want to make those statements.

Q.—I think you want to make it wider than you made it. I think what you want to say is this, that neither directly or indirectly, neither in the sale of liquor or through Teviotdale, or anybody else did you ever get a dollar out of it? A.—No, never in my life.

Q.—That covers everything? A.—Yes, I want to cover it all.

Q.—That is wider than you made it. You, yourself, I fancy, would not know the quality of liquor very well—you would know by testing? A.—I'd know by testing, but I don't know the quality of liquor.

MR. EWING: There are just two small points. You told me yesterday at this time you were without help in your office down there? A.—Yes, I was without help.

Q.—Did you get any stenographer or help for any time? A.—Yes, I got a stenographer for two and a half days.

Q.—You had a stenographer for two and a half days? A.—You recall it, Mr. MacKay.

MR. MACKAY: I know all about it.

MR. EWING: How did you come to have a stenographer for two and a half days?

MR. MACKAY: I can answer that quicker than you can. Is this right, Mr. Forster,—I will shorten this. When the "flu" was coming on, I called you in to call attention to the fact that there were complaints coming from all over this country that orders weren't being filled?
A.—Yes.

Q.—And you told me you had no stenographer? A.—Yes.

Q.—And I said, Why don't you get one? and, I said, I will send you one tomorrow morning, and I sent her? A.—Yes.

MR. EWING: Why didn't she remain there? That is what I want to get. A.—Well,

Mr. Boyle asked me to dismiss her; she was in my service two and one-half days. I dismissed her and paid her.

MR. MACKAY: She had been in the department before and I didn't know it.

MR. EWING: Mr. Forster, you spoke a moment ago about Mr. Boyle taking the ban off, I mean, saying that these drug stores were to get all they wanted? A.—All they wanted, or, all they needed; it meant the same to me.

Q.—To you they meant the same thing. You had not been following that practice heretofore? A.—No, I had not.

Q.—Had you instructions from the former attorney general not to follow the practice of giving druggists all they needed? A.—No, I had no specific instructions. What I did, I did it myself in the conduct of the business.

Q.—You had no instructions from Mr. Cross, who was the former Attorney General? A.—Oh, no, Mr. Cross left the matter altogether in my hands.

Q.—And in the exercise of your discretion you did curtail the—— A.—Oh, yes, I did that on my own.

Q.—You did that of your own discretion? A.—Yes.

Q.—And you continued that up until Mr. Boyle told you—— A.—I followed a very careful policy throughout, that was the idea.

MR. MACKAY: Just one question on that now. Did Mr. Boyle at that time tell you that I had complained to him that druggists weren't getting their orders filled and that when they did some of them complained it was mostly water? Did he tell you something like that? A.—No, I never heard it in that way.

Q.—Did he make any statement to you about the complaints that the liquor was watered? I want to know. A.—Only in a letter. I didn't know anything about it until I got a letter from Mr. Boyle; it was answered on that file there.

Q.—But did any complaints come to you at that time through the vendor that doctors and druggists said they were getting more water than liquor, or something to that effect, there was too much water? A.—No, there was no particular complaint of that kind regarding them; there has been some complaints regarding liquor.

Q.—Did I call your attention to it the evening I was talking to you? A.—No.

Q.—I am not suggesting I did? A.—I think it was you called my attention to this other matter.

Q.—They were not getting the orders? A.—I think if we discussed it—I don't think we discussed it at all.

Q.—If it was in my mind; if I didn't, I wouldn't have it on my mind. Did I tell you about having samples sent back to me so I could analyze them myself and tell you it was two-thirds water? A.—No.

Q.—The only mistake that was made, they said, they sent them by parcel post and it was only a bunch of broken glass I got. I am not suggesting I did, but what I have in my mind is that I was telling you about complaints that they weren't getting the orders filled? A.—I think if that letter with reference to Hughenden was read it would clear that matter up.

Q.—I am not talking about that. A.—Up to a certain point I was sealing the liquors, corked them and sealed with sealing wax, and I know beyond a doubt. After I got my instructions not to dilute them, any liquors that would go out after that I would know nothing about them.

Q.—They would be sold as strong as you got them? A.—They would be put in jars, probably sent by express, and going through probably half a dozen hands before they got to the purchaser, but I know what I did send out before I got that letter.

THE CHAIRMAN: Now, gentlemen, are you through with Mr. Forster?

MR. WEBSTER: I would like a few questions asked.

MR. MACKAY: Perhaps we would get along quicker if we allowed Mr. Webster to ask some questions.

THE CHAIRMAN: All right, we will allow him to ask some questions.

MR. WEBSTER: I have heard your evidence, Mr. Forster. Now, regarding what you know about liquor, when you came there, speaking to me about liquor, were you acquainted with the different kinds of liquors? A.—No, I was not, Mr. Webster.

Q.—You usually came to me, did you not, to tell you something about liquors? A.—Yes, I relied to a very large extent on your knowledge.

Q.—And you didn't know how to test liquor? A.—No, I didn't know how.

Q.—And I asked you several times to fetch in the instruments so you could know——

MR. MACKAY: I don't want to stop you, but we are not concerned with that.

A.—Perhaps I could get to it in about two seconds.

MR. WEBSTER: I gave you instructions how to test liquors, did I? A.—Practically all the liquors that were tested, not as to specific strength or anything about that, but as to the quality of liquors. I relied on you, you made the test.

Q.—I just merely did it to show that he didn't know anything about liquors when I was there.

MR. MACKAY: Well, he doesn't pretend to.

A.—No, I relied on you.

THE CHAIRMAN: Gentlemen, if you are all through with Mr. Forster, we will let him go.

MR. MACKAY: All right, let him go.

THE CHAIRMAN: All right; Mr. Forster, you are at liberty to go.

Adjourned at 12 o'clock noon, until 10 o'clock, April 2nd.

PUBLIC ACCOUNTS COMMITTEE—2nd APRIL, 1919.

A. G. BROWNING, having been duly sworn, examined by Mr. Ewing, testified as follows:

Q.—You are Deputy Attorney General, Mr. Browning? A.—Yes.

Q.—And you have been Deputy Attorney General since when? A.—February, 1915—no, February, 1916.

Q.—As Deputy Attorney General you have the supervision of all purchases of liquors for the vendors, have you? A.—No, I would not say that.

Q.—What is your duty with respect to the purchase of liquor for use in the vendor's stores? A.—My duty, since Mr. Douglas was appointed vendor, has been to supervise him at his—hardly been that, well, at his request. Before that time, I practically had nothing to do with the vendor's store. Mr. Forster was independent of me.

Q.—Mr. Forster had to do that solely— A.—He consulted with the Minister, and took his instructions from the Minister.

Q.—Did he consult you at all? A.—Oh, very casually, and incidentally.

Q.—And, since Mr. Douglas took charge, you have acted in an advisory capacity? A.—Very much more so than before.

Q.—Do you have a record of all the purchases in your office? A.—No, we do not keep records at all. Mr. Douglas keeps all those in his office. In fact, he does not consult me about purchases at all. He makes those independent of me. He did in the first few days of his appointment.

Q.—Why did he make the change? A.—I suppose he was new to the job and he just consulted me, regarding purchases. Purchases were made in my own name for the first two or three weeks.

Q.—And, for the period while Mr. Forster was in charge, the documents covering all transactions will be on the files in the custody of Mr. Douglas? A.—I presume so. They were kept by Mr. Forster in his office, and I presume were transferred by him to Mr. Douglas.

Q.—I mean, they are in the departmental custody now? A.—Exactly, if they were left there by Mr. Forster.

Q.—Were they not left there? A.—I do not really know. It is something which I have no knowledge of.

Q.—Would Mr. Forster take all those files away? A.—I have no personal knowledge of that. You have as much knowledge as I have of that.

Q.—They are departmental files? A.—They are departmental files. He has no right to take them away, but whether he did or not I don't know.

Q.—Where would they be if they were not taken away? A.—In the office, in the old Parliament Buildings, which were formerly occupied by Mr. Forster, now occupied by Mr. Douglas.

Q.—Those files are available, I suppose; the files that are there are available, I suppose, for members of this Committee to examine?

MR. MACKAY: There never has been any question about that, any file, or any documents asked for.

MR. EWING: I have never suggested that they have. As a matter of fact they have. I am not discussing that now.

Q.—Now, with reference to confiscated liquors, Mr. Browning, what disposition is made of them? A.—That, of course, is a matter more for Mr. Douglas than myself to speak to. Speaking generally, those liquors are destroyed where they are not of a quality sufficient to sell. If of a quality, marketable quality, they are placed in stock and sold as other liquors are sold.

Q.—That is, in the stock of the vendors? A.—Yes. Paid for to our department by the vendor.

Q.—There was a seizure of liquor from a man named Girvin at Lethbridge some time ago. Do you know anything about that? A.—Yes.

Q.—Quite a large amount of liquor was seized? A.—A large quantity of liquor, yes.

Q.—Can you recall about how much? A.—No, I cannot. I know there was quite a quantity.

Q.—Have you the documents in connection with that seizure? A.—I presume they will be on the police files. I know the facts. I can tell you exactly what happened.

Q.—Perhaps you might tell us? A.—Proceedings were taken at the instance of the Provincial Police, the liquor forfeited by the magistrate, an order given by the Department that the liquor be turned over to the vendor, and it was so delivered to the vendor's store at Calgary. Subsequently, proceedings were taken by Girvin, I think against Mr. Forster, and Mr. Shepherd was acting for the Department, and the action proceeded until it was almost ready for trial, then it was settled.

Q.—Who settled the action? A.—The action was settled after consultation with the Minister, Mr. Shepherd and myself.

Q.—And what settlement did you make of that? A.—The liquor was turned over to the Royal Bank, who claimed to be interested by reason of an advance—I am not sure of the nature of same, or rather of the nature of their claim—on condition that it would be shipped out of the province and sent to Québec. All costs were paid by the defendant.

Q.—By the defendant? A.—Yes—by the plaintiff, rather. The liquor was not of a quality we could use, and there was doubt as to the validity of the seizure. My own opinion was that we had very little chance of succeeding in the action, that we would lose the liquor and have to pay the costs.

Q.—You say you turned over the liquor to the Royal Bank? A.—Yes. They claimed under an assignment from Girvin, they having advanced monies to him and taken this as security. It was supposed or assumed to be held under the Export Liquor Warehouse Act.

Q.—That is the time of the seizure? A.—That is at the time of the seizure.

Q.—That was his defence? A.—That was one of the defences, yes.

MR. MACKAY: Under what Act? A.—Export Warehouse Act.

MR. EWING: Under that Act he had the right, if he owned the liquor and had it stored, had it so stored, he had the right to ship it out? A.—Yes, to a non-prohibited area.

Q.—And you have no power to compel him to ship it out? A.—No, they can hold it here indefinitely.

Q.—Was the liquor turned over to a representative of the Royal Bank? A.—Yes.

Q.—Was it taken out of the warehouse? A.—It was taken out of the Vendor's warehouse.

Q.—By whom? A.—By Mr. Bayne and the representative of the Royal Bank acting together, so that the Department might make sure that the liquor actually went out of the province in accordance with the agreement entered into.

Q.—Where was it shipped to? A.—Montreal. It wasn't stuff that we could use. Mr. Forster stated that, and Mr. Bayne also.

Q.—Who tested it? A.—I presume Mr. Forster did.

Q.—Why couldn't it be used? A.—Inferior quality, low grade quality. Mr. Forster said it was of an unmarketable quality, as far as the Department was concerned.

Q.—You say it was shipped to Montreal? A.—Yes.

Q.—Who looked after the shipping of it to Montreal? A.—Mr. Bayne and the representative of the Royal Bank. Mr. Bayne was liquor Vendor at Calgary.

Q.—Now, then, with reference to a shipment from Saskatoon to Edmonton by Nat. Bell, or Nat. Bell, Ltd., I am not sure of the name. Do you remember being consulted by Mr. Forster with reference to that matter? A.—I do not remember being consulted with reference to a shipment of liquor by Nat. Bell. I have some recollection of Mr. Forster casually mentioning that he was purchasing some liquor from Nat. Bell, after having made every effort to get it elsewhere without success.

Q.—What did Mr. Forster consult you about? A.—He did not consult me. Mr. Forster did not consult me. He told me about it. At least that is my recollection.

Q.—Mr. Forster said the proposal was made to him, I think he said by Mr. Sugarman, and he refused to do anything until he had first consulted you, and gotten your advice with reference to the legality of the transaction? A.—He did not need to consult me as to that. He was at perfect liberty to buy liquor from Nat. Bell or anybody else.

Q.—Don't you know the nature of the transaction as explained here by Mr. Forster? A.—No.

Q.—Don't you know that in that shipment of liquor——? A.—You are referring to Mr. Forster's evidence yesterday?

Q.—Yes. A.—No. I did not hear Mr. Forster's evidence.

Q.—Do you know the nature of the transaction? A.—I have heard since that in the car which contained the liquor which Mr. Forster brought in, was other liquor which came in and which was taken charge of by the Provincial Police.

Q.—You knew that that liquor was being brought in before it came in, did you not? A.—I cannot say that I did. I knew that the Vendor was getting liquor from Nat. Bell. I did not know that any liquor was coming in for Nat. Bell.

Q.—Mr. Forster was quite at liberty to buy liquor from Nat. Bell and, in this case, he was buying liquor, and under cover of his name as an officer of this province brought in a very large quantity of other liquors? A.—He had no right to do that.

Q.—Mr. Forster gave evidence here that before he did that, before he decided to do it, that he consulted you as Deputy Attorney General, and got your consent to the transaction? A.—Mr. Forster knew that I could give him no consent, and he also knew that he had no right to buy liquors to turn over to Nat. Bell or anybody else. Did Mr. Forster say that he bought this liquor, intending to turn it over to Nat. Bell?

Q.—With the nine barrels of liquor that were to be brought in from the warehouse at Saskatoon, Nat. Bell was also—I think he made it a condition of the sale of the nine barrels of alcohol, that he should be permitted to bring in a large amount of liquor from his warehouse at Saskatoon to be transferred to his warehouse here, all to be done under Provincial supervision. A.—Mr. Forster never consulted me about that. Mr. Forster knew that was something no person could give him permission to do.

Q.—Do you mean to say you did not know anything about that coming in? A.—I did not know that Mr. Forster was making any arrangement with Bell by which Forster was to get in a quantity of liquor along with other alcohol which was to be turned over to Nat. Bell.

Q.—That is, you did not know it was before it was brought in? A.—As soon as I was told by the Minister that it was, the Provincial Police took charge of that liquor until it was shipped out of the province.

Q.—When did you first find out that the liquor was first brought in, the additional liquor that was brought in with the liquor that Forster brought in? A.—Mr. Boyle told me.

Q.—When? A.—Mr. Bryan's file will show that date that he—that I 'phoned him that he was to take charge of that liquor and keep charge of it, which was followed by a memo. to him.

Q.—That was after the arrival here? A.—Well, either just after or simultaneously with its arriving.

Q.—How did Mr. Boyle know? A.—I really do not know.

Q.—Are you only speaking from your recollection now, Mr. Browning, or are you positive about that? A.—You mean——?

Q.—As to there being a consultation between yourself and Mr. Forster as to his right to bring in additional liquor? A.—All I can speak of is from my recollection, of course.

Q.—Well, then, Mr. Forster may be right then? A.—Mr. Forster was not right if he says he consulted me as to the propriety of bringing in liquor for Mr. Bell to store in his warehouse.

Q.—As to the legality? A.—It was not proper nor legal, and I never was consulted by Mr. Forster and never advised him on that point. The Dominion Order-in-Council is clear on that point. No one but the Vendor has any right to ship in liquor. I would be very much surprised if Forster intended to do anything of that sort.

Q.—You know that it was brought in? A.—I don't know that it ever actually went into Nat. Bell's possession. I understand that it came in in bond, and my impression is that the Superintendent got it.

Q.—You instructed the Superintendent about it? A.—I instructed the Superintendent about it. I instructed him by 'phone and then followed that by written instructions.

Q.—You have a copy of that letter to him? A.—He has the original, I presume.

Q.—Well, then, did you take—Is that all you had to do with it? A.—That is all I had to do with it, except when the liquor finally came to be shipped out of the province.

Q.—When was that? A.—Well, the Superintendent can tell us that. Some time in December or January.

Q.—Of this year? A.—Yes.

Q.—What steps did you take concerning it then? A.—Well, I had previously instructed the Superintendent that as soon as Bell had arranged for a destination outside of the Province to which it might legally be shipped, that it had to be shipped under the Superintendent's instructions.

Q.—The result is that a certain amount of liquor was brought in here illegally? A.—It was brought in anyway.

Q.—It was brought in—as far as the laws of the province are concerned—— A.—It was not brought in illegally. Nat. Bell had an export liquor warehouse in which he was entitled to keep liquor.

Q.—It was brought in illegally? A.—If it was brought in in the Vendor's name it was not brought in illegally.

Q.—That is, Forster had the right to bring in liquor here for Nat. Bell? A.—No. Forster had a right, as licensee, to bring in liquor in his own name; under the Order-in-Council no one but a licensee has the right to bring in liquor..

Q.—Mr. Forster then was quite right in the action which he took?

MR. MACKAY: You had better give this man the facts.

MR. MACKAY: Would Forster be right in allowing, in ordering liquor to be shipped in, not to him as consignee? A.—I am not going to answer that. The Railway Company was perfectly right in allowing the liquor to come in.

MR. EWING: I am not speaking about the rights of the Railway Company. Do you know to whom this liquor was consigned? A.—No, I do not.

Q.—If it was consigned to Mr. Forster would you say it was all right? A.—I would say, as far as the Railway Company was concerned, it was all right. They are the ones against whom the Order-in-Council was made.

Q.—Mr. Browning, as Deputy Attorney General, would you take any exception to the transaction, provided——? A.—Oh, well——

Q.—I want to know. Here is a man shipping in liquor, a portion of which went to himself, and another portion of which apparently under police supervision, was transferred to his warehouse in Edmonton. A.—I would say that if Mr. Forster brought in a quantity of liquor part of which went to the Government and part of which was intended to go to someone else, that Mr. Forster's conduct would be very improper.

Q.—And you do not care to express an opinion as to its legality? A.—I won't go any further than to say it was improper.

Q.—And you say that Mr. Forster did not consult you about it at all? A.—As I say, I had no knowledge that Forster was bringing in liquor to transfer to Nat. Bell.

Q.—If he had, you would have looked into the legality of it? A.—It is so apparent. It is improper.

Q.—I am speaking about the legality. A.—Forster did not have to consult me about the legality of it. He was independent of me. He did not have to consult me any more than any other lawyer as to what he had a right to do.

Q.—What steps did you take with reference to the shipment of the liquor out of the province? A.—The Superintendent was instructed to see that the liquor was shipped out of the province under his supervision.

Q.—Did you force Bell to ship it out? A.—We were keeping after Bell to force him to ship it out.

Q.—You were keeping after Mr. Bell? A.—Bell had a right to keep it here once it got into his warehouse and we really had no right to seize it.

Q.—You seized the liquor then without any right to seize it? A.—I am inclined to think so. I doubt our legal right to seize that liquor which was in a legal warehouse.

Q.—You seized it before it went into the warehouse? A.—Ask the Superintendent about that.

Q.—While you were telling Bell that he had to ship it out of the province, were you doubting your right to do that? A.—We did it whether we had the right to do it or not. It wasn't a time for doubting.

Q.—You have told us that on several occasions you were at Mr. Bell to ship it out of the province? A.—Yes.

Q.—Did you make those requests or demands by letter? A.—I think so. The Superintendent was after him too.

Q.—You have copies of those letters, have you, Mr. Browning? A.—What time did the liquor come in?

Q.—It arrived here on the 9th of November, and was transferred, I think—I am speaking from what Mr. Forster—— A.—There was no great delay between the 9th of November and the 9th of January.

Q.—What you say is, Mr. Browning, you, in effect, advised Mr. Bell to ship the liquor out of the province? A.—Oh, yes. We kept the liquor under seizure and kept it under seizure until it was shipped out of the province under the direction of the Superintendent.

Q.—Where was it shipped to? A.—The Superintendent will tell us as to that. I have heard, but I do not recollect. I think it was Montreal.

Q.—Now, Mr. Browning, I suppose in your capacity as Deputy Attorney General, you would hear from time to time of shipments of liquor that were being illegally brought into this province? A.—No more than I would as a citizen of the province, or being advised by the police possibly.

Q.—That is what I mean. A.—I have no recollection at present of hearing of such, but may have.

Q.—That is, at—you were at no time advised of any liquor being brought into the province, as far as your recollection goes? A.—No. That was entirely under the police. I have no personal recollection of it.

Q.—That is, you cannot recall at any time any complaints or statements made to you concerning the bringing of liquor into this province? A.—Oh, yes. I cannot recall definitely. From time to time I have heard of such shipments, and from time to time the different stations have been searched without success.

Q.—On various occasions reports have been made to you that liquor was coming in illegally and, in consequence of that information, you have caused steps—— A.—Enquiries to be made.

Q.—Can you tell us any of these instances? A.—No. None of them—they were all fruitless, as far as I know.

Q.—Do you know, Mr. Browning, of any complaints having been made to you regarding liquor coming in here, the complaint having been made to you before the liquor arrived? A.—I cannot recall.

Q.—Telling the car in which it would arrive, and so on, and the name of the consignee? A.—I cannot recall that.

Q.—Do you recall anyone speaking to you in connection with a consignment of clothing addressed to a clothing store house in Edmonton? A.—It seems to me I do recollect speaking to the Superintendent about a transaction of that kind.

Q.—Who reported it to you? A.—Really I do not recall. About the only man who did report such a transaction was a man in the city who particularly wished his name not to be disclosed.

Q.—Do you think he was the man who reported this to you? A.—He is the only man I recollect.

Q.—Ever——? A.—Yes—I remember now some such incident as you refer to and I also remember taking that up with the Superintendent over the 'phone.

Q.—There was reported to you the name of the consignee. It was reported to you, was there not, the car, rather the date of shipment from Montreal of the car in which it was being shipped? A.—Well, I cannot recall that. I know whatever information was given to me I at once passed it on to the Superintendent.

Q.—Did you follow up what passed after that? A.—Yes. The Superintendent told me that his search was fruitless. That is my recollection.

Q.—Can you tell me whether any search was made—whether or not the search was made at the time of the arrival of the car, or some time after its arrival? A.—I cannot tell. The moment the information was given to me I communicated it to the Superintendent.

Q.—And that is all that you know about it? A.—That is all I know about it.

Q.—Well, now, Mr. Browning, that is all this morning.

MR. MACKAY: About that Girvin seizure. Was that in the south of the province? A.—Lethbridge.

Q.—Mr. Forster told us that an action was brought against him, and so on. You told us that Mr. Shepard was acting. That is Mr. Shepard the barrister in Lethbridge? A.—Yes.

Q.—Who was Mr. Shepard acting for? A.—For the Department.

Q.—In the final disposition? A.—Yes. Forster was the defendant and, of course, the Department had to protect Forster.

Q.—Forster was the nominal defendant in the suit, but the Department was protecting its official? A.—Yes.

Q.—And Shepard was the solicitor employed? A.—Yes.

Q.—The liquor was seized at Lethbridge and taken where? A.—Seized at Lethbridge, the man convicted, Girvin convicted by the magistrate, the liquor confiscated and order made by the Department that it be taken to the Vendor's store at Calgary.

Q.—About what time of the year was that, do you know? A.—I cannot recall.

Q.—In the fall, or something? A.—It was last summer, I should think.

Q.—Then the bank claimed the liquor under an assignment? A.—The bank claimed the liquor under an assignment.

Q.—Do you remember that Mr. Ford, K.C., was acting for the bank? A.—Mr. Ford, K.C., of Edmonton was acting for Girvin.

Q.—Shepard was acting for the Department? A.—Yes.

Q.—They would be the two? A.—Yes.

Q.—Ford, K.C., of this city was acting for Girvin and Shepard for the Department? The Department was practically Forster? A.—Yes.

Q.—So they were the two lawyers? A.—Yes.

Q.—And the bank claimed the goods? What bank? A.—The Royal Bank.

Q.—The Royal Bank under an assignment or something, and finally what do you say was done with it? A.—The action was settled, the bank paying the Department's costs, paying Forster's costs.

Q.—Paying the Department's costs? A.—An agreement entered into by which the liquor was shipped out of the province under the joint supervision of the bank and the Liquor Vendor at Calgary.

Q.—You have already told us that Forster told you that the liquor was not of such a quality as could be used in the Vendor's store? A.—Yes.

Q.—Then, to put it in a nut-shell, was there any other disposition that could be made of it than this? You could not use the liquor in the store. You could have dumped the liquor in the sewer and let the bank lose its claim, or you could do just as you did and let— A.—Apart from that, I did not think we had any case.

Q.—As to the commercial end of it, the Royal Bank was making a claim, you could have dumped the liquor in the sewer and then, of course, it would have no chance to realize on its claim out of the liquor? A.—That is right. I say, I doubt very much whether we had any defence to its action.

Q.—The question arose as to the legality of the seizure? A.—As to the seizure, the man Girvin was convicted on a charge of having liquor in his possession and this other liquor, which was not the subject of the conviction, was seized by the constable.

Q.—Oh, I see. He was convicted of having liquor in his possession, but that wasn't the liquor. A.—That was not the liquor that was the subject matter of this seizure.

Q.—The liquor that was seized and brought to the Vendor's store, how was it seized? A.—It was seized—I doubt very much whether the seizure was a legal one or not.

Q.—Why do you doubt whether it was legal? A.—It wasn't the liquor which was the subject matter of the transaction. It was liquor in other parts of the province than the liquor for which the man was prosecuted.

Q.—Then there is a commercial end and a legal end. The legal end was—did you consult with Shepard? Did you consult or discuss the probability of the Government being able to succeed in the action? A.—Yes.

Q.—Did you discuss that with Shepard the solicitor? A.—Yes.

Q.—Did you both doubt? A.—We both had doubts.

Q.—That is, in other words, you thought that Girvin would succeed in the action? A.—We thought there was a very reasonable chance.

Q.—His action was against Forster, but Forster being an official the Department were protecting Forster and the result would be that if judgment went against Forster the Department would have to pay? A.—Yes.

Q.—Giving, at the same time, the bank a chance to ship it to Montreal and realize on its claim? A.—Yes.

Q.—Girvin did not get any of it? A.—Not as far as we know.

Q.—Indirectly, it would have to credit him? A.—Yes.

Q.—The bank, who was the bank's solicitor? A.—Ford was acting, I presume he was acting for Girvin. He was the only one we met in the transaction.

Q.—The statement was made that Ford, K.C., of this city, acted on one side, Shepard, the barrister of Lethbridge, on the other side and the Department? A.—Yes.

Q.—Coming, then, Mr. Browning, to the shipment by, the shipment taken in from Saskatoon from Nat. Bell. You understand, Mr. Browning, that Forster, in effect, swore—he put the responsibility on you as Deputy Attorney General, for legal advice as to whether he could do what he did or not. That is the result of it. What do you say to that, Mr. Browning? A.—I say Mr. Forster has no right to place legal responsibility on me, because he did not consult me, nor did I advise him on that point.

Q.—You haven't your correspondence on that matter? A.—The Superintendent has copies.

Q.—There is a copy of a letter there to Nat. Bell. Is that the bill of lading, or what is this document? This is Mr. Bryan's file? A.—Yes, that is Mr. Bryan's file. This must be the original bill of lading showing when the liquor came in, dated November 5th, 1918.

Q.—Who is the consignee on that bill of lading? A.—See Inland Revenue Department. It must have come in in bond. "Notify F. G. Forster, Inspector, Alberta Government Liquor Vendor."

MR. EWING: Now, Mr. Chairman, this witness——

WITNESS: I am just reading the bill of lading.

MR. EWING: He does not know whether that is the bill of lading or not.

MR. MACKAY: I just want you to glance at some of these letters for a moment. (Hands witness file.) A.—Those are copies of letters between the Superintendent and myself as Deputy Attorney General; also copy of a letter to Nat. Bell, I think; yes, copy of a letter to Nat. Bell sent from the Superintendent, also copy of crime report.

Q.—This, then, is a copy of a letter you sent to the Superintendent under date November 6th? A.—November 6th; yes.

Q.—What is the footnote on that? A.—"Advise location of liquor also officer who has key. "Please bear in mind my 'phone message."

MR. EWING: Please read the letter.

MR. MACKAY: That letter is a copy of a letter from you to Superintendent Bryan, of date what? A.—November 6th.

Q.—Now, then, the memo refers to a prior message? A.—Yes.

Q.—What was that 'phone message, do you know? A.—The 'phone message was practically in terms of the letter, that he was to take immediate possession of the liquor, place it in a safe place, mark it and seal it, and take charge of it absolutely.

Q.—Do you know the date of the 'phone message? A.—It would be either the 5th, or the same day on which that memo. was written. The one followed the other immediately.

Q.—Yes. I will read the letter. (Mr. MacKay reads letter in question.) That is your letter? A.—Yes.

(Document in question marked "1" for identification.)

Q.—Now then, prior to that, prior to the writing of that letter, what is your recollection as to whether the Attorney General discussed this matter with you? A.—It was on the Attorney General's instructions that the 'phone message was given, followed by the letter.

Q.—It was on the Attorney General's instructions that you 'phoned the Superintendent and followed it with this letter? A.—Yes.

Q.—Tell me again what the 'phone message was, or can you tell me what the Attorney General's instructions to you were? A.—That a quantity of liquor had come in here, or was coming in, I am not sure which, and that Mr. Forster was taking part of it for his own use, and that he wanted to make sure that the balance of the stuff did not go to Nat. Bell or anyone else, and I was to see that the police took immediate possession of it.

Q.—So that your 'phone message was a result practically of your instructions from your superior? A.—Absolutely.

Q.—Well, then, there is a copy of letter from W. F. Hancock, Alberta Provincial Police. Did that come to you? This is the Superintendent's file, that would not come to you? A.—Yes, that would be the copy sent by the Superintendent to our Department, in the nature of a crime report.

Q.—This is a crime report sent to your Department by the Superintendent of Police? A.—Yes.

Q.—This is dated 8th November, 1918? A.—Yes.

(Document in question is now marked "No. 2" for identification.)

(Mr. MacKay reads document in question.)

Q.—And that would be a copy of a letter from the Superintendent? A.—Yes.

Q.—Dated 9th November, 1918.

(Document in question is now marked "No. 3" for identification.)

Q.—Then, December 5th, is that a copy of your letter? A.—Yes.

(Document in question is now marked "No. 4" for identification.)

(Mr. MacKay reads document marked "No. 4.")

Q.—This would be your letter, evidently, to Bell, dated December 5th? A.—Yes.

(Letter marked "No. 5" for identification.)

Q.—Then that would be a letter from the Superintendent? A.—Yes.

(6th January, 1919, letter read by Mr. MacKay and marked "No. 6" for identification.)

Q.—Then that would be a memo of yours to Bryan, Edmonton, January 7th, 1919. (Mr. MacKay reads document, which is marked "No. 7" for identification.)

Q.—Then this is a crime report that would come to you from the police, I suppose? A.—Yes, that is of the shipment.

Q.—January 9th, 1919. (Document in question read by Mr. MacKay and marked "No. 8" for identification.)

Q.—Is that a letter which you received from the Superintendent? A.—Yes.

Q.—9th January, 1919. (Document in question read by Mr. MacKay and marked "No. 9" for identification.)

Q.—Then, Mr. Browning, that crime report was sent to you, or copy of it, whatever it is, on the 9th of January. Do you remember where Mr. Boyle, the Attorney General, was about that time, or say before the 14th of January, whether he was here or away? A.—I cannot recall.

Q.—But is this a copy of the letter that is on the file? A.—Yes.

Q.—It purports to be a copy from the Attorney General, January 14th, 1919? (Document in question read by Mr. MacKay and marked "No. 10" for identification.)

Q.—You do not know whether he was here at the time or not? A.—That letter certainly was written while he was here.

Q.—I was wondering whether he had been away in the interval? A.—I do not know.

MR. EWING: Have you the Magistrate's answer to that?

MR. MACKAY: I have read all of what appears to be a copy of the file.

MR. MACKAY: I am producing, witness now, a letter which you cannot identify absolutely, which the Superintendent got, 18th January, 1919, a letter from Primrose reading as follows: (Mr. MacKay reads letter in question, which is marked "No. 11" for identification.)

Q.—And the Superintendent's reply. (Mr. MacKay reads letter in question, which is marked "No. 12" for identification.)

Q.—16th January, letter from Superintendent Bryan to Rosevear, General Freight Agent, Grand Trunk, Winnipeg. (Letter in question read by Mr. MacKay and marked "No. 13" for identification.)

(Letter dated 9th January from the Superintendent of Police to the Deputy Attorney General read by Mr. MacKay and marked "No. 14" for identification.)

(Letter January 28th, 1919, from Rosevear, General Freight Agent, to W. C. Bryan, read by Mr. MacKay and marked "No. 15" for identification.)

Q.—I remember you saying this statement, "about two months after the liquor was here "it was subsequently shipped to Montreal." Let me ask you the question, when the Department found or knew that the liquor was in a block that evidently Nat. Bell controlled, why didn't you take it out and dump it in the street? A.—We had no right to do that.

Q.—Well, now, why? A.—Well, under The Liquor Act, Nat. Bell has an export warehouse in which he is entitled to keep liquor, and he had a perfect right to have it there.

Q.—Why, then, seeing that he had the right to have it there, why did you consent to its being shipped out? A.—He had a right to ship it out.

Q.—Ship it out without your leave? A.—Ship it out without my leave.

Q.—Then, what you say is, so far as the correspondence shows, the police kept supervision on it until it was shipped out? A.—We kept control of it and shipped it out.

Q.—You did what you thought was doubtful to do? And kept charge of it until it was shipped out, and supervised the shipping? A.—The only action against anybody was in shipping it in contrary to the Dominion Order-in-Council. I doubt very much if we had the right to do what we did.

Q.—Kept charge of the liquor, supervised it and shipped it out? A.—I doubt that very much.

Q.—Why did you do it? A.—I did it under the instructions of the Attorney General.

Q.—You did that? It was practically taken possession of, taken charge of, kept under lock and key, shipping of it supervised, and you did that under the instructions of the Attorney General? A.—Absolutely. There is a copy of the letter from the Superintendent to Nat. Bell, advising him he had no right to dispose of the liquor.

W. C. BRYAN, having been duly sworn, examined by Mr. Ewing, testified as follows:

Q.—You are Superintendent of the Provincial Police, Mr. Bryan? A.—Yes.

Q.—And you have been Superintendent for how long? A.—Since May, 1918.

Q.—Now, directing our minds to the particular transaction concerning which evidence has been given today, the shipment from Saskatoon—you identify the bill of lading? A.—Yes.

(Document in question is now marked "Exhibit 1.")

4 This freight remains here at owner's risk, and is subject to storage for shed goods at Company's rate for such storage. The Tolls prescribed by the Canadian Car Service Rules shall be payable upon any car held beyond the free time allowed and, together with the freight charges, shall be a lien upon the contents of the car. The property will be delivered only on presentation of this bill.

Copy
Station
Edmonton, Nov. 5-18
Date
Pro. No.
107
Customs Report No.

M Order Inland Revenue Dept. Notify F. G. Forster
Insp. Alta Govt. Liquor Vendors, Edmonton
THE GRAND TRUNK PACIFIC RAILWAY
order as to the disposal of the undermentioned freight
requests your

From Saskatoon, Sask.		Way Bill Date and Number Nov. 2-18 76		Car Initials and Number G.T.P. 309737		
SHIPPER	Number of Pkgs. and Description of Articles	Weight	Rate	Net Freight	Advances	TOTAL
Nat. Bell Liquors	9 brls 65 OP Alcohol			EXHIBIT	NO. 1	
	7 brls do			Exam. W.	C. Bryan	
	7 brls 50 do			2nd April,	1919.	
	1 brl 3,5 Gin			R.B.,	Stenog.	
	3 brls proof alcohol	4000	46.5	111.60		
B-L 1585	11 brls do	500	105	5.25	Coll.	116.85
	20 pkges office records					
IB The surrender of the original yellow "order" Bill of Lading properly endorsed shall be required before the delivery of the goods. Inspection of the goods covered by this Bill of Lading will not be permitted unless provided by law or unless permission is endorsed on the original Bill of Lading or given in writing by the shipper.						

Deliver to
Del'd by
Consignee Per
All cheques to be accepted by bank and made payable to Grand Trunk Pacific Railway, unless charges are paid to cartage agent.

RECEIVED PAYMENT
NOV. 5 1918
G.T.P. R.L.Y. Edmonton
Memo. written on above: Important: This shipment is in bond and cannot be delivered until passed by Customs. Please communicate immediately with Collector of Customs, Edmonton.
Memo. written on above: Consignees will please phone 6354 when ready to unload so that keeper can be promptly furnished to be at warehouse when car is unloaded.

Q.—This liquor came in? A.—The liquor came in.

Q.—It is addressed to the Inland Revenue Department. There is a memo on it: "Notify F. G. Forster, Inspector, Alberta Government Liquor Vendor"? A.—Yes.

Q.—Now, that invoice, that shipping bill, covers thirty-nine barrels, does it not? A.—Thirty-eight.

Q.—Yes, thirty-eight, including the one barrel of gin? A.—Yes.

Q.—And the rest being alcohol? A.—The rest being alcohol.

Q.—Of various strength. Now, the Government Vendor got nine barrels; you shipped out twenty-five. You know that the Government Vendor—— A.—Well, I have no more than the statement made to me that he did——

Q.—And you shipped out twenty-five; that made thirty-four barrels. Now, what became of the other four barrels? A.—The other four were reported stolen in transit from Saskatoon to Edmonton at some place in Saskatchewan.

Q.—Who reported that to you? A.—I think in that crime report, Nat. Bell reported that to Inspector Fisher, that is on the day it arrived here.

Q.—By the way, who was there to meet the car when it arrived? A.—There was no one there to meet the car when it arrived, because we did not know anything about it. Someone 'phoned to Inspector Fisher.

Q.—Someone 'phoned to Inspector Fisher that a car had arrived? A.—That a car of alcohol had arrived for Nat. Bell.

Q.—And, as a matter of fact, it was consigned to the Inland Revenue Department, but I suppose it was for the Vendor? A.—Mr. Forster was the only man that could handle that car according to that invoice. I took the matter up with the Inland Revenue Department immediately I got that. They 'phoned me and told me that he had paid in the neighbourhood of four and five thousand dollars inland revenue on that car.

Q.—You got a 'phone message from someone, but whom you don't know? A.—Inspector Fisher did.

Q.—Inspector Fisher did from someone, but he didn't know? A.—Yes.

Q.—That this particular car had arrived? A.—Yes.

Q.—And what did he do? A.—To be more exact, the 'phone message was for Inspector Fisher but Inspector Griffiths was the man who answered the 'phone and he asked the party at the other end who was speaking and they would not give the information.

Q.—Then what happened, Superintendent? A.—Well, Inspector Fisher and Detective Griffiths went over there and they reported to me. I immediately took the matter up with the Deputy Attorney General of this liquor coming in, and of its being stored; it was taken to Bell's warehouse.

Q.—Did they report to you that four barrels were missing? A.—Yes.

Q.—Did you make investigation into that? A.—Yes, we tried to trace that. We never got any trace. As a matter of fact, I believe that two were taken out at Biggar, Saskatchewan. We tried to trace the other two, but we were never able to find them.

Q.—When Mr. Griffiths and Fisher went down there, was the car open? A.—Yes, the car was unloaded practically.

Q.—Who had unloaded it? A.—I presume Mr. Bell, or Sugarman was there at the time; not Bell, but Sugarman, his partner, I understand. The Inland Revenue had released this car, I understand, to the Government Vendor, as I have got it; he was the man.

Q.—It was consigned to the Inland Revenue, and to notify F. G. Forster? A.—Yes.

Q.—I take it that the Inland Revenue office and Forster were the only men who had control of that car? A.—Yes.

Q.—The Inland Revenue was paid, do you know when? A.—I don't know that. I just 'phoned over to the Customs Department, to get the information from it.

Q.—What I don't understand is, do you know whether an officer of the Inland Revenue was there at the time that it was unloaded? A.—I presume so.

MR. MACKAY: Do you know? A.—I don't know personally. I wasn't there myself.

MR. EWING: And the other two barrels you never were able to trace? A.—No.

Q.—Did the barrel of gin remain—was that among the twenty-five barrels? A.—That wasn't among the alcohol. That must have been one of the barrels that was missing.

Q.—And you have never been able to get any trace of those barrels except what you have mentioned? A.—No.

Q.—Now, there is reference here about a shipment from Moose Jaw to the Nat. Bell Liquor, Limited.

MR. MACKAY: What document is that?

WITNESS: That does not belong to that file.

MR. EWING: Referring to the letter dated November 18th, 1918, signed by H. M. Matheson, do you know anything about that shipment? A.—No.

Q.—Well, to clear that up, is this the only shipment of liquor into this province in large quantities with which the Police Department had to do? A.—Yes, that is the only one.

Q.—This is the only one that came to your notice? A.—Yes, that came to our notice.

MR. MACKAY: By this one, you mean the one from Saskatoon? A.—The one from Saskatoon.

MR. EWING.—Magistrate Primrose in his letter to you suggested that you take samples of the liquor? A.—Yes, but the liquor had gone out at that time.

Q.—Yes, but you had previously taken samples? A.—No, only just of our own, by boring into them.

Q.—Your letter, I think, states three barrels? A.—Yes.

Q.—Who did that work? A.—Sergeant-Major Hancock.

Q.—At what period did he do that? A.—Just after it arrived in, and when it went out.

Q.—Now, did he test the same barrels that he tested when it came in? A.—No, he didn't.

Q.—That is, he tested three barrels when it came in? A.—Taken at random, yes.

Q.—Taken at random in each case? A.—Well, he has the numbers of the first three, 1, 9, and 18.

Q.—Has he the numbers of the last three? A.—I don't know whether he has or not.

Q.—Who was present? A.—He had the keys.

Q.—It was under his charge from beginning to end? A.—It was under his charge from beginning to end.

Q.—When did he make the last inspection, that is, the last test? A.—Well, that was the day, I think, that it went away, or the day before.

Q.—The day on which he withdrew a portion of the liquor and tested it? A.—That would be about the day before it went. He reported to me that he had done so, at my suggestion.

Q.—Hancock is still on the force? A.—Oh, yes.

Q.—Now, have you produced, Superintendent, all the letters and documents of every description from your files, with reference to every shipment into the Province, or shipments out of the province? A.—No, just this one. I have no other shipments, with the exception there was a shipment came in which was consigned to the Inland Revenue Department for the Pioneer Vinegar Company, which is still in their possession.

Q.—You have some correspondence about that? A.—Oh yes.

Q.—Is there any other? A.—None other.

Q.—So that, apart from that shipment in connection with vinegar, the file which you produce here contains all the records of your office with reference to shipments of liquor into the province or out of the province? A.—What do you mean? There are hundreds of shipments and reports; we search express office, freight sheds and cars.

Q.—Those would be contained in your Crime Reports? A.—Yes.

Q.—That is, whenever you find liquor, it would be contained in the Crime Report to you of that date? A.—Yes.

Q.—What I mean is this, any shipment in large quantities that came in addressed to any of the recognized liquor companies in Edmonton? A.—No.

Q.—You have none? A.—No. We have had rumours, of course, at times, but our investigations proved abortive in each case. They were always anonymous.

Q.—I merely wanted to get all your records, Superintendent, and you have produced here all your records, I understand? A.—Yes, with regard to the one big shipment, except I have another shipment under investigation, an alleged shipment out of the province not into the province.

Q.—I am speaking of both? A.—That is supposed to have been shipped out, alleged to have been shipped out, but we have not got the facts of the case. It is still under investigation.

Q.—I want to ask you if there is anything in giving publication that would interfere with the success of your case? A.—Yes, there certainly would.

Q.—How does it come that the Nat. Bell Liquor Company Limited, if I am using the correct word, apparently was concerned with this Saskatoon shipment, but when it comes to be shipped out it is consigned by the Capital Wine and Spirit Company? A.—Well, that is their firm. That is all I have ever known them by.

MR. MACKAY: I think the Nat. Bell Limited was the name of the Saskatoon firm. He had two warehouses. Nat. Bell Limited I know is Saskatoon.

MR. EWING: And the business here is carried on——? A.—By the Capital Wine and Spirit Company.

Q.—As far as you know? A.—As far as I know, yes.

MR. MACKAY: Mr. Bryan, take this shipping bill, Exhibit No. 1. Who would have the right to get that shipment? A.—The Inland Revenue Department or Mr. Forster only.

Q.—The Inland Revenue Department or Mr. Forster? Why do you say that? A.—Why, because it is consigned to them.

Q.—Consigned to whom? A.—To the Inland Revenue Department, to notify Mr. Forster.

Q.—That is the ordinary way, is it? A.—Yes.

Q.—It is consigned to the Inland Revenue, then, who are to notify——? A.—Mr. Forster it would be, in this case.

Q.—Mr. Forster, it would be in this case? A.—Yes.

Q.—You say that from this wording on the shipping bill, "Order Inland Revenue Department, notify F. G. Forster, Inspector Alberta Government Liquor Vendor", I say you were looking at the shipping bill in the ordinary way, the Inland Revenue Department here and Forster would be the only people entitled to get that car? A.—Yes, I think so.

Q.—Do you find anything at all on the shipping bill that would give Nat. Bell, or Nat. Bell Limited any right to get it, except through the Inland Revenue or Forster? A.—No.

Q.—Well, do you know or don't you, what the Inland Revenue,—can you say what they would do with it? Would they put it in a warehouse? Apparently it never was in a warehouse; apparently it had been unloaded direct from the car? A.—Yes.

Q.—And when you got on to it nine barrels of it had gone to Forster and the rest of it, excepting the four missing, had gone to Bell? A.—To Bell.

Q.—Now, then, you were speaking of four barrels that were missing, and you did make an effort to trace them out and had some information that two were taken out at Biggar? A.—That is where the car was broken. They might all have been taken, though. I got it from Bell himself. He found that two of them, when the car was broken into at Biggar, that two of them were taken out there.

Q.—Could you find any trace of the four being taken or missing in the Province of Alberta? A.—No.

Q.—What is this document which you produce off your file here? A.—That is the shipping bill.

Q.—Which shipping bill? A.—The shipping bill for the 25 barrels of alcohol shipped out to Boivin, Wilson and Company.

Q.—Copy of shipping bill dated January 8th, 1919, purporting to be shipped from the Capital Wine & Spirit Company, Edmonton, to Boivin, Wilson and Company?

(Document in question is now marked Exhibit "2")

Q.—This is on your file. It has already been referred to. Letter January 18th from Chairman Primrose to you? A.—Yes.

Q.—This is your reply, dated January 20th to Primrose? A.—Yes.

(Documents in question are now marked Exhibits "3" and "4").

Q.—This is your letter to Rosevear, of date January 16th? A.—Yes.

(Document in question is now marked Exhibit "5").

Q.—Then on 9th January you wrote the Deputy Attorney General? A.—Yes.

(Document in question is now marked Exhibit "6").

Q.—Crime Report dated January 9th, 1919, signed by Hancock? A.—Yes.

(Document in question is now marked Exhibit "7").

Q.—I think I read this letter, January 8th, from the Deputy Attorney General? A.—Yes.

(Document in question is now marked Exhibit "8").

Q.—And then that is the copy of your letter to Mr. Browning of 6th January? A.—Yes.

(Document in question is now marked Exhibit "9").

Q.—Then December 5th, Deputy Attorney General to you? A.—That is a copy of his letter to Nat. Bell.

Q.—That goes in as a copy of his letter to Nat. Bell? A.—Yes.

(Document in question is now marked Exhibit "10.")

Q.—And then December 5th, 1918, that is from Mr. Browning to you? A.—Yes.

(Document in question is now marked Exhibit "11.")

Q.—And Crime Report by Griffith, that Crime Report dated November 14th? A.—Yes.

Q.—By Griffith to Inspector Fisher? A.—Yes, and passed on to me.

(Document in question is now marked Exhibit "12.")

Q.—That would be a letter from you to Superintendent Piper? A.—Yes.

Q.—November 7th.

(Document in question is now marked Exhibit "13.")

Q.—Then there is a Crime Report here, what is that? A.—That is from Detective Griffith to Inspector Fisher.

(Document in question is now marked Exhibit "14.")

Q.—And this would be a letter from Griffith. Griffith is a detective? A.—Yes.

Q.—November 6th, 1918, letter by Detective Griffith to Superintendent Bryan.

(Document in question is now marked Exhibit "15.")

Q.—This letter from you to the Deputy Attorney General? A.—Yes.

Q.—Dated November 9th?

(Document in question is now marked Exhibit "16.")

Q.—Then this is a report, that would be Hancock's report, dated 8th November, 1918?

(Document in question is now marked Exhibit "17.")

Q.—This is a letter that you sent to Piper? A.—Yes.

Q.—That is a duplicate. I read that before.

Q.—That is an original letter from Mr. Browning to you, November 6th? A.—Yes.

(Document in question is now marked Exhibit "18.")

APRIL 3rd, 1919. 10 O'CLOCK A.M.

SUPT. BRYAN, recalled, was examined and testified as follows:

THE CHAIRMAN: You have been already sworn, Mr. Bryan.

MR. MACKAY: Where are those documents we had here? Perhaps this a copy. Did you get any—trace up in any way, Mr. Bryan, upon whose order, if any, that liquor was given out that came from Saskatoon by the Inland Revenue, on whose order they gave it up, or did you get any facts on that? A.—I didn't get any facts on that.

Q.—I see we had the invoice here on it. The Nat Bell liquor was shipped to the Inland Revenue Department in Edmonton and to notify Mr. Forster. You didn't get any further on that? A.—No.

Q.—Not the invoice, but the bill of lading, I mean. I think I had practically finished with this witness, Mr. Chairman, last day, as far as I am concerned.

MR. EWING: There is one question that I am not clear on, Superintendent Bryan. From whom did the Police first get their instructions with reference to this liquor coming into the Province? A.—The Police never got any instructions as to its coming into the Province. You mean prior to its arriving in—

Q.—Yes, I think you said that yesterday? A.—Yes.

Q.—They got no instructions prior to its coming in? A.—Yes.

Q.—It was in here prior to the time you got the instructions, was it? A.—Yes.

Q.—And those instructions came from whom? A.—The Attorney-General's Department, through Mr. Browning.

Q.—To whom? A.—To me.

Q.—Can you fix the time with reference to the arriving of the liquor? A.—I think it would be sometime about three o'clock in the afternoon, somewhere around there; it was in the afternoon, I wouldn't be exactly certain as to the time.

Q.—But how long had the liquor been here at that time? A.—Well, we had only got notice an hour before that; that is, Inspector Fisher had.

Q.—That is, an hour before what? A.—Before I was notified.

Q.—But I haven't made myself clear. How long had the liquor arrived before you were notified? That is what I want. A.—I couldn't tell you the exact time, but it might have been in there because they were unloading it at the time we got there; it wouldn't have been very long—the time the Inland Department would clear it and the duty paid on it.

THE CHAIRMAN: Are you through with Mr. Bryan now?

MR. EWING: Except this, I think it should be understood that Mr. Weir—we may at any time want to recall any of these witnesses.

MR. MACKAY: Yes, I think that should be understood, because we do not know at any time what may develop.

FRIDAY MORNING, APRIL 4, 1919. 10 O'CLOCK A.M. RESUMED.

SERGT.-MAJOR W. F. W. HANCOCK, being called as a witness and duly sworn, was examined, and testified as follows:

MR. EWING: You are going to examine this witness, Mr. Ebbett, are you?

MR. EBBETT: Don't you —

MR. EWING: Well, I didn't prepare for him; I thought we were going on with Mr. Nicholson this morning.

THE CHAIRMAN: The Sergeant-Major wants to get away as quickly as possible, and we called him first.

Q.—MR. MACKAY: You are a member of the Provincial Police force, are you, Sergeant-Major? A.—Yes.

Q.—And where were you last November? A.—I was in Edmonton.

Q.—What was your position? A.—Sergeant-Major—Corps Sergeant-Major.

Q.—Did you have any instructions with reference to a shipment of liquor that came from Saskatoon? A.—Yes, I had instructions from the Superintendent on the 8th of November.

Q.—That is from Superintendent Bryan? A.—Yes.

Q.—With reference to what shipment? A.—With reference to a shipment of liquor that came in, and was in the liquor warehouse belonging to Nat Bell at the time.

Q.—Where did it come from? A.—It came, I understand, from Saskatoon, according to the waybills.

Q.—When did you get the instructions? A.—I got the instructions on the 8th instant.

Q.—That is on the 8th of November last? A.—Yes, or, rather, the 8th of November.

Q.—Were they written instructions? A.—No, verbal instructions.

Q.—What instructions did you get? A.—Well, the Superintendent instructed me to go down to the Nat Bell warehouse, on Jasper, and take over twenty-five barrels of alcohol, and he went into particulars as to how it had come in; I can't just remember now, but anyway, my instructions were to take over that alcohol, and report to him as to the best means of putting it into safe custody.

Continued on page 341.

GRAND TRUNK PACIFIC RAILWAY

(Copy)

STRAIGHT BILL OF LADING—ORIGINAL-NOT NEGOTIABLE

Shipper's No.

Agent's No.

RECEIVED, subject to the classifications and tariffs in effect on the date of issue of this Original Bill of Lading,

at.....Edmonton, Alberta.....January 8th, 1919.....

from.....*The Capital Wine & Spirit Co. Ltd.*.....the goods described below, in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned and destined as indicated below, which said Company agrees to carry to its usual place of delivery at said destination, if on its road, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed, as to each carrier of all or any of said goods over all or any portion of said route to destination, and as to each party at any time interested in all or any of said goods, that every service to be performed hereunder shall be subject to all the conditions, whether printed or written, herein contained (including conditions on back hereof) and which are agreed to by the shipper and accepted for himself and his assigns.

The Rate of Freight from.....

to.....		is in Cents per 100 Lbs.										IF Special
IF... Times	1st IF	Class	IF	Class	IF	Class	IF	Class	IF	Class	IF	per.....

(Mail Address—Not for purposes of Delivery)

Consigned to.....*Boivin Wilson & Co. Ltd.*.....

Destination.....*Montreal*.....
{ Province of.....*Que.*.....County of.....
State of.....

Route.....*G.T.P. C.G.R. L.N. & N.O. G.T.*.....Car Initial.....*G.F.*.....Car No.....*40523*.....

No. Packages	DESCRIPTION OF ARTICLES AND SPECIAL MARKS.	WEIGHT (Subject to Correction)	CLASS OR RATE	CHECK COLUMN	If charges are to be pre- paid, write or stamp here, "To be Prepaid."
25	Barrels Spirits.	24000			Prepaid.
	Actual Weight 11930				Received \$ to apply in prepayment of the charges on the pro- perty described hereon. 399.80
	Seals 512121 G.T.P.				Jan. 8, 1919 G.T.P. RLY. Edmonton
	512122 "				Agent or Cashier.
	Heated Car O.R.W.				
	Exhibit No. 2 Exam. W. C. Bryan, 2nd April, 1919, R.B.				Per V. Coote (The Signature here ac- knowledges only the a- mount prepaid.)
	Stenog.				Charges Advanced: \$

The Capital Wine & Spirit Co. Ltd.

Shipper.

Canadian Express Co.

Agent.

Cartage Dept.

Per Wm. Sugarman.

Mgr.

Per C. Watkins.

(This Bill of Lading is to be signed by the shipper and agent of the carrier issuing same.)
"Conditions" as printed on the Grand Trunk Pacific Railway Bill of Lading.

Copy.

EXHIBIT No. 3

Exam. W. C. Bryan, 2nd April, 1919, R.B., Stenog.

Edmonton, 18th January, 1919.

Sir:

I have the honour to advise you that I am in receipt of a request from the Hon. the Attorney General for a report as to how the alcohol (which I understand you have under seizure) came into the province; and, without information, I am unable to reply to this letter. It seems peculiar to write and ask me about something with regard to which I know nothing, as this matter appears to have been conducted between Mr. Forrester, the Deputy Attorney General (Mr. Browning) and yourself, and you did not even consider it of sufficient importance to advise me about it, and I only learned it through accident, on the street, after which I asked to see the papers, and from the papers I see there is a letter from Mr. Browning stating it would be improper to proceed against Bell, and that he is informing him that at an early date arrangements should be made for shipping this liquor out of the province.

The whole transaction has a most "fishy" look to me and I do not wish to be drawn into the matter at all; but I would like as much information as is not contained in the file, as possible, that I may be able to report to the Hon. the Attorney General.

I would suggest that the Inland Revenue Officer, accompanied by some members of the Police Force, should at once take samples from all these barrels and ascertain from the Public Analyst what they contain at the present moment. I am not quite clear as to the building in which this stuff is stored and should be obliged if you would include this in your report.

This consignment of liquor apparently came in in the latter part of November or the first of December, and apparently is still here; no prosecutions entered and nothing done.

May I ask to be informed if at the present time you are in possession of a list showing all the liquors brought in by the Vendor? I understand that the Vendor did not notify you as to when he was bringing in liquor—that is, until quite recently. What I mean by this is, have you a list from the different transportation companies, from their books, showing all the liquors which have been imported?

I have the honour to be,

Your obedient servant,

(Sgd.)

P. C. H. PRIMROSE,

Chairman.

Since writing I am advised this liquor has been shipped out of the province, about 10 days ago.

Copy.

EXHIBIT No. 4

Exam. W. C. Bryan, 2nd April, 1919, R.B., Stenog.

20th January

9.

Sir:

re Nat. Bell Liquors.

In reply to your letter of January 18th, 1919, re above, in which you ask for a statement as to how this alcohol came into the province, I beg to advise you that it was shipped in bond, consigned to the Government Vendor, from Saskatoon, by the Nat. Bell Liquors; and arrived here on November 5th. My advice is that it was shipped legally into the province.

It appears that when this liquor arrived here, the Vendor would only take nine barrels out of the shipment of thirty-eight barrels, and Mr. Bell was given permission by the Vendor to take the balance to his warehouse in the Goodrich Block. Inspector Fisher notified me by telephone that someone had 'phoned him regarding this shipment, and, accompanied by Detective Griffith, he went to the G.T.P. yards and found that this liquor had been unloaded and the above disposition made of it. It appeared rather strange to me that such a transaction should be made by the Vendor, and I immediately communicated by telephone with the Deputy Attorney General and asked him if he knew anything about the matter. The Government Vendor being strictly under the Attorney General's Department, I thought the Deputy Attorney General would be cognizant of the facts. Mr. Browning asked me to take charge of this alcohol until the matter had been gone into by this Department. Correspondence regarding this matter is attached to the file. I sent Asst. Superintendent Piper and the Sergt. Major to Bell's warehouse to check this liquor up and take charge of it, and with the Department's consent it was stored in the Goodrich Block, in the basement (to which there was only one entrance). It was locked up and the keys were kept in our possession; and it was checked at uncertain times, three or four times weekly.

I again took the matter up with the Department as to what was to be done with this liquor, and was advised that Mr. Bell had been notified to ship it out of the province, under Police supervision. This was done on January 9th inst. Sergt-Major Hancock supervised the transfer from the warehouse to the G.T.P. railway car in which it was loaded; saw the car sealed and the freight prepaid, and took a copy of the shipping bill.

The Chairman,

Board of Police Commissioners,
Buildings.

Bd. 20-1-19

-2-

The liquor was consigned to Boivin, Wilson & Company, Limited, Montreal. The barrels were the same as came in here. Two or three, taken at random, were bored into and the contents found to be alcohol. Certain marks, etc., which had been placed on the tin covering the bung-holes when placed in the warehouse, were there when the barrels were placed on the car and billed out of here for Montreal.

In your letter you say "this matter appears to have been conducted between Mr. Forrester, the Deputy Attorney General (Mr. Browning) and yourself." In reply to this I might state that I do not know Mr. Forrester. I have never spoken to him, nor met him. My connection with the matter was through the Attorney General's Department, whom I considered the proper authority to deal with it, as it was a case strictly in their own Department.

As for my not considering it of sufficient importance to acquaint you with it, if you will recollect I spoke to you in connection with this matter on (I think) the day after Mr. Forrester's resignation was announced in the papers. As a matter of fact, I spoke to you of the coincidence of his resignation taking place the same evening, or the day after, the Bell alcohol arrived here. You have had the file on several occasions since.

With regard to your remarks as to the whole transaction having "a most fishy look," to you, I have the honour to ask that you will kindly advise just what is intended to be conveyed by this, when I will reply further.

Everything done by this Force with regard to the matter in question was done through the Attorney General's Department, as the records show. Of the transaction between the Vendor and Mr. Bell, I know nothing, except the verbal statement of Mr. Bell who said that after the alcohol arrived here the Vendor would only take nine barrels when he was to have taken the whole shipment; and if such was the case, I think that in all fairness Mr. Bell should have been allowed to ship the remainder back to where it came from in Saskatoon, but as he had closed out his wholesale business at that point, he asked to be allowed to ship it to Montreal.

I have no brief for Mr. Bell or anyone else, and as far as the Alberta Provincial Police is concerned, everything was done openly and above-board, and according to the advice I had received.

Bd. 20-1-19

-3-

I am not in a position to submit a list of all the liquor brought in by the Vendor, neither was I informed, until lately, when they were expecting any liquor. I wrote to the Attorney General's Department requesting that I might be informed as to when they were receiving any shipments of liquor, and this has been done lately, with the exception of one hundred cases of liquor which arrived here by the C.P.R. some two weeks ago, which shipment was followed to the Vendor's store. The file in connection with this alcohol is appended hereto for the information of the Board.

I have the honour to be,

Sir,

Your obedient servant,
(Sgd.) W. C. BRYAN,
Superintendent.

EXHIBIT No. 5

Exam. W. C. Bryan, 2nd April, 1919

W. C. B./V.

16th January, 9.

Confidential

Sir:

I beg to advise you that on January 8th the Capital Wine and Spirit Company of Edmonton shipped from here 25 barrels of alcohol under permit from the Attorney General's Department of the Province of Alberta in car No. 40523, bearing G.T.P. seals Nos. 512121 and 512122.

There are certain rumours that this consignment was interfered with.

This liquor was consigned to the Boivin, Wilson & Co. Ltd., Montreal. I attach you herewith copy of the Bill of Lading.

Would you kindly inform me if this car was transferred to the C.G.R. at Winnipeg?

I have the honour to be,

Sir,

Your obedient servant,

Superintendent.

A. E. Rosevear, Esq.,
General Freight Agent,
Grand Trunk Pacific Railway.
Winnipeg, Man.

EXHIBIT No. 6
Exam. W. C. Bryan, 2nd April, 1919.

W. C. B./V.

9th January, 1919.

Sir:

Re Nat. Bell (Alcohol)

I beg to advise you that the 25 barrels of alcohol shipped in here to the Government Vendor by Nat. Bell some time ago has been re-shipped by him to Montreal, pursuant to the instructions of the Department.

I attach you herewith report from Sergeant-Major Hancock who was detailed to look after this liquor while we had it under our supervision.

This liquor was taken from the warehouse yesterday and loaded on the Grand Trunk Pacific car. The liquor was consigned to Boivin, Wilson and Co., Ltd., Montreal.

Mr. Bell informs me now that he is out of the liquor business in Edmonton.

I am keeping the Bill of Lading, as I wish to trace this liquor to Montreal.

I have the honour to be,

Sir,

Your obedient servant,

Superintendent.

Deputy Attorney General,
Parliament Buildings,
Edmonton, Alta.

EXHIBIT No. 7

Exam. W. C. Bryan, 2nd April, 1919.

ALBERTA PROVINCIAL POLICE

Headquarters

Edmonton, January 9, 1919.

CRIME REPORT

PC.R Re Nat. Bell (Liquor Warehouse Goodrich Block, 9692 Jasper Ave.
6-11-18 Amount of Alcohol, 25 barrels).
8-11-18
13-11-18

On the 8th of December, 1918, Nat. Bell notified me that he wished to ship this alcohol to Montreal. I unlocked the cellar where the liquor was stored and was present from the time it was removed from the cellar until it was placed in Grand Trunk Refrigerator car No. 40523. The car was sealed in my presence with seals G.T.P. Nos. 512121 and 512122. The barrels were intact as far as could be seen, and bore the following marks:

A.P.P. Mark	Gallons	O.N.A.	
No. 1	43.0	283B	244
" 2	41.1	279	245
" 3	43.1	279	249
" 4	43.6	279	234
" 5	42.0	283B	424
" 6	42.8	284D	331
" 7	42.0	279	237
" 8	40.9	283B	249
" 9	40.7	283B	446
" 10	40.4	283B	243
" 11	41.1	283B	247
" 12	40.8	284D	236
" 13	42.2	279	260
" 14	42.2	15B	2196
" 15	41.8	279	241
" 16	42.2	279	251
" 17	41.8	284D	235
" 18	41.3	284D	232
" 19	42.1	284D	234
" 20	43.2	283B	248
" 21	42.7	15	3193
" 22	43.5	279	262
" 23	42.2	279	254
" 24	42.6	270	246
" 25	42.0	284D	233

The liquor was consigned to Boivin, Wilson & Co. Ltd., Montreal, Que., and was prepaid (memorandum attached).

The freight agent informed me that this car would probably leave the yards at 10 p.m. the same night. At about 9 p.m. I again inspected the car and found the seals intact.

The Superintendent,
Alberta Provincial Police.

W. F. HANCOCK, A./C. S.M.

Copy.
EXHIBIT No. 8

Exam. W. C. Bryan, 2nd April, 1919. R.B., Stenog.

Edmonton, January 7th, 1919.

MEMO. FOR SUPT. PROVINCIAL POLICE

Re Liquor in Nat. Bell Warehouse.

In reply to yours of the 6th inst., I beg to say that Mr. Bell called on me a few days ago and stated that he expected to have liquor shipped before the middle of the month.

(Sgd.) A. G. BROWNING,
Deputy Attorney General.

EXHIBIT No. 9

Exam. W. C. Bryan, 2nd April, 1919. R.B., Stenog.

Copy.
W. C. B.-V.

6th January, 1919.

Sir:

Re Liquor in Nat Bell Warehouse.

With reference to the liquor brought in from Saskatchewan under the arrangement with the late Chief Liquor Inspector Mr. Forster, by Nat. Bell.

Will you kindly advise me whether Mr. Bell has advised you yet as to whom he is going to ship this liquor to, as I have heard nothing from him yet regarding the matter?

I have the honour to be,

Sir,

Your obedient servant,

Superintendent.

Deputy Attorney General,
Parliament Buildings,
Edmonton, Alta.

EXHIBIT No. 10

Exam. W. C. Bryan, 2nd April, 1919. R.B., Stenog.

Copy.
H-HR.

Edmonton, December 5th, 1918.

Dear Sir:

Re Liquor Stored

With reference to the liquor brought in from Saskatchewan under an arrangement with the late Chief Liquor Inspector, Mr. Forster, I beg to say that you cannot be given permission to dispose of same in the province and it will be necessary for you at an early date to have such liquor shipped to some point outside the province.

As soon as you are in a position to advise the names of parties to whom such liquor will be shipped, please communicate with me or the Supt. of the Provincial Police and the necessary arrangements for carrying out your instructions will be made.

Yours truly,

Deputy Attorney General.

Nat. Bell, Esq.,
10124 121st Street,
Edmonton.

EXHIBIT No. 11

Exam. W. C. Bryan, 2nd April, 1919. R.B., Stenog.

Copy.
B-HR.

Edmonton, December 5th, 1918.

MEMO. FOR SUPT. ALBERTA PROVINCIAL POLICE

Re Liquor in Nat. Bell Warehouse

This liquor was brought in by arrangement with Mr. Forster and under his instructions and is being held in a warehouse formerly occupied by Mr. Bell as his wholesale warehouse. It will be very improper, under the circumstances, to proceed against Bell under The Liquor Act for having such liquor in his possession and I am today notifying him that at an early date arrangements should be made for shipping this liquor out of the province and copy of my letter to Mr. Bell is herewith enclosed.

(Sgd.)

A. G. BROWNING,
Deputy Attorney General.

Enc.

EXHIBIT No. 12

Exam. W. C. Bryan, 2nd April, 1919. R.B., Stenog.

Copy.

ALBERTA PROVINCIAL POLICE

"A" DIVISION

DIVISIONAL HEADQUARTERS

November 14th, 1918.

CRIME REPORT

P.C.R. Re 25 Barrels Alcohol, stored at the Warehouse of the Capital Wine & Spirit Co.

On instructions received from the C.S.M., this afternoon:

I visited the above warehouse, which is situated at 9692 Jasper Ave. Corporal Stewart accompanied me, and we there checked over and carefully counted 25 barrels of alcohol, which is stored there and held by the Alberta Provincial Police.

Before leaving, I carefully locked the cellar door and returned the 2 keys for the Yale lock to the C.S.M. at Police Headquarters.

(Sgd.)

C. J. GRIFFITH, Det.,
Reg. No. 22

The Superintendent,
Alberta Provincial Police,
Edmonton, Alta.

Forwarded for your information.

(Sgd.) D. G. FISHER, Insp.,
Commanding "A" Division,
Edmonton.

Nov. 15, 1918.

EXHIBIT No. 13

Exam. W. C. Bryan, 2nd April, 1919. R.B., Stenog.

Copy.

W. C. B./V.

7th November, 1918.

Sir:

I beg to attach herewith a letter received from the Deputy Attorney General regarding some liquor in the possession of one Nat. Bell.

I find upon investigation there are 25 barrels of this stuff, containing 42 gallons each.

I had intended having this placed in one of the cells of the Guard Room, but find there is no room for it. Mr. Bell had offered to put up a strong partition in his warehouse and I have sent the Sergeant-Major to go to this warehouse and inspect it to see that it is properly secured and tomorrow I will ask you to go with him and a lock can be taken from the Guard Room to be put on this door, and it can then be visited daily until the stock is disposed of as I understand Mr. Bell had made arrangements to ship this stuff as soon as possible.

I have the honour to be,

Sir,

Your obedient servant,

Asst. Supt. Piper,
Alberta Provincial Police,
Edmonton, Alta.

Superintendent.

EXHIBIT No. 14

Exam. W. C. Bryan, 2nd April, 1919. R.B., Stenog.

Copy

ALBERTA PROVINCIAL POLICE

"A" DIVISION

DIVISIONAL HEADQUARTERS,
November 9th, 1918.

CRIME REPORT

P.C.R. Re Nat. Bell (Liquor Warehouse) Goodridge Blk., 9692 Jasper Ave.
 Nov. 6-18 Shipment of Alcohol, S'toon to Ed'ton.
 Nov. 8-18

With reference to the footnotes at the bottom of my C.R., dated Nov. 6th, 1918, re the above:

You will, please, find the Bill of Lading attached to my C.R. of the 6th inst.

The car was not checked on arrival, as it was partly unloaded when Insp. D. G. Fisher and I arrived at the track where the car was spotted, near the G.T.P. freight sheds, but, shortly after, I checked over the shipment in the above warehouse and found as stated in my C.R. of Nov. 6th, 1918.

On arrival at the track where the car was spotted, Nat. Bell pointed out to Insp. Fisher and myself that the lock on the car No. 309737 had been broken, while in transit from Saskatoon to Edmonton.

(Sgd.)

C. J. GRIFFITH, Det.,
Reg. No. 22.

The Superintendent,
 Alberta Provincial Police,
 Edmonton, Alta.

Forwarded for your information.

(Sgd.) D. G. FISHER, Insp.,
 Commanding "A" Division,
 Edmonton, Nov. 9, 1918.

EXHIBIT No. 15

Exam. W. C. Bryan, 2nd April, 1919. R.B., Stenog.

Copy.

File 25 No. 548.

ALBERTA PROVINCIAL POLICE

"A" DIVISION

Edmonton, Nov. 6th, 1918.

CRIME REPORT

Re Nat. Bell (Liquor Warehouse) Goodridge Blk., 9692 Jasper Ave.

Shipment of Alcohol, Saskatoon to Edmonton

In pursuance of orders received from Insp. Fisher, I beg to report that I visited the above wholesale liquor warehouse with reference to a shipment of alcohol by Nat. Bell from Saskatoon, Sask., to Edmonton, Alta., consigned to "Order, Inland Revenue Dept., notify F. G. Forster, Insp. Alberta Govt. Liquor Vendors, Edmonton, Alta." (Shipment in bond.)

On visiting this warehouse at 3 p.m. this afternoon Mr. Nat. Bell pointed out to me 25 barrels of alcohol averaging about 42 gallons each, which I found to be correct, and are now stored in the above mentioned warehouse.

Mr. Nat. Bell reported to me that F. G. Forester had received nine barrels of alcohol, independent of the 25 barrels now stored in the warehouse, and that four barrels of alcohol were missing in transit from Saskatoon, Sask., to his, Bell's, warehouse, at 9692 Jasper Ave., Edmonton.

You will please find attached to this C.R. the No. 4 Bill of Lading which I received from Insp. Fisher.

(Sgd.)

C. J. GRIFFITH, Det.
Reg. No. 22.

The Superintendent,
 Alberta Provincial Police,
 Edmonton, Alberta.

(Sgd.) D. G. FISHER, Insp.,
 Commanding "A" Division,
 Edmonton, 6-11-18.

To bill of lading attached, was contents of car checked before unloaded.

EXHIBIT No. 16

Exam. W. C. Bryan, 2nd April, 1919. R.B., Stenog.

W. C. B.-V.

9th November, 1918.

Sir:

Re Nat. Bell (Liquor Warehouse) Goodridge Blk., 9692 Jasper Avenue
Shipment of Alcohol, Saskatoon to Edmonton.

I beg to forward you herewith, as per your request, report concerning the shipment of alcohol made to Nat. Bell from Saskatoon.

This liquor is now under our supervision and, as you will see by the report, has been safely stored and is inspected daily.

I have the honour to be,

Sir,

Your obedient servant,

Superintendent.

Deputy Attorney General,
Parliament Bldgs.,
Edmonton, Alta.

EXHIBIT No. 17

Exam. W. C. Bryan, 2nd April, 1919. R.B., Stenog.

Copy.

File 25 No. 548.

ALBERTA PROVINCIAL POLICE

HEADQUARTERS

Edmonton, 8th November, 1918.

CRIME REPORT

P.C.R.
6-11-18

Re Nat. Bell (Liquor Warehouse) Goodridge Blk., 9692 Jasper Avenue
Shipment of Alcohol, Saskatoon to Edmonton.

With reference to Det. Griffith's C.R. dated 6-11-18, on the morning of the 8th inst. I accompanied the Asst. Supt. to the above warehouse and there supervised the moving to the cellar of 25 barrels of alcohol, comprising the balance of shipment as shown on bill of lading No. 4 attached to previous C.R.

The shipment consisted of 38 barrels distributed as follows:—

25 barrels stored in Nat. Bell's warehouse.

9 barrels turned over to Mr. Forster, Chief Liquor License Insp.

4 barrels reported missing in transit.

Assisted by Det. Griffith I thoroughly examined each barrel as it was placed in the cellar and found them all intact with tin seals over bungholes. I marked them O.K. in red and blue chalk and numbered them 1 to 25 inclusive.

After thoroughly examining the cellar for any other means of access thereto (the only other door was an old elevator shaft and has been boarded up securely from the inside) I locked the cellar trap with a Yale lock and handed over the keys to the Asst. Supt. and received instructions from him to inspect the cellar daily.

W. F. W. HANCOCK,

a-C.S.M.,

Alberta Provincial Police.

EXHIBIT No. 18

Exam. W. C. Bryan, 2nd April, 1919. R.B., Stenog.

Copy.

ALBERTA PROVINCIAL POLICE

W. C. B./V.

Edmonton, Alberta, 7th November, 1918.

Sir:

I beg to attach herewith a letter received from the Deputy Attorney General regarding some liquor in the possession of one Nat. Bell.

I find upon investigation there are 25 barrels of this stuff, containing 42 gallons each.

I had intended having this placed in one of the cells of the Guard Room but find there is no room for it. Mr. Bell has offered to put up a strong partition in his warehouse and I have sent the Sergeant-Major to go to this warehouse and inspect it to see that it is properly secured and tomorrow I will ask you to go with him and a lock can be taken from the Guard Room to be put on this door and it can then be visited daily until the stock is disposed of as I understand Mr. Bell has made arrangements to ship this stuff as soon as possible. Shipments to be made by proper authority and according to law.

I have the honour to be,

Sir,

Your obedient servant,

(Sgd.)

W. C. BRYAN,

Superintendent.

Asst. Supt. Piper,
Alberta Provincial Police,
Edmonton, Alta.

Examination of Sergt.-Major W. F. W. Hancock—Continued from page 331.

Q.—And what did you do as a result of those instructions? A.—Well, I went down to the warehouse, and the alcohol was in the first floor there where the old liquor store used to be, and at first I thought it would be best to take it over to our guard-room, where it would be absolutely safe, but on account of the bulk——

Q.—25 barrels? A.—25 barrels, quite a large ——

Q.—Yes. A.—I decided I would recommend to the Superintendent that it be put in the cellar of the Nat Bell warehouse, which was empty, and kept under lock and key in the cellar.

Q.—Yes. A.—And the Superintendent ——

Q.—Did you then report to the Superintendent? A.—I did, yes.

Q.—You recommended that to the Superintendent? A.—I recommended that to the Superintendent.

Q.—And what was the result? A.—The result was that the Superintendent gave me instructions to have that alcohol put down in the cellar, and I was to take all precautions that the only entrance, or exit, should be one for which I had the key.

Q.—That is, you were to keep it under lock and key all of the time? A.—I was to keep it under lock and key, yes.

Q.—What did you do? A.—I got Nat Bell to get a bunch of men, and we put the alcohol in the cellar.

Q.—Is that all? A.—Well, of course, I checked it over and marked the barrels, placed them in certain positions, and tested the liquor.

Q.—Now, what do you mean by saying "placed them in certain positions"? A.—Well, we took them and put them in a corner out of the way in the basement.

Q.—What I am getting at, did you have any object in placing them in the positions that they were in with reference to your tracing them up? A.—Yes, I knew there would probably—if possible, there might be some monkey work, and I wanted to make absolutely sure; I knew that I was to be the goat, as it were, and I was going to make absolutely sure.

Q.—That is what I thought when you said you placed them in certain positions. A.—Yes.

Q.—What do you mean by placing them in certain positions? A.—Well, I had the barrels numbered with my own number, as well as the numbers that were on them; I presume Excise numbers, etc.

Q.—Quite so. A.—And I had them in a certain rotation, which I put in my book ; I have them right here in my diary.

Q.—Just let me look at that for curiosity. This was part of what you did to keep them from being monkeyed with ? A.—Well, no ; but it is so I would have absolute check on them.

Q.—So you would have an absolute check on them ? A.—Yes.

Q.—You have, Sergeant, the numbers in the book that you put on the barrels ? A.—Yes.

Q.—And what other information does the book show there ? A.—It shows the gallons in each barrel, and also certain numbers on each barrel, which I presume were either shippers' numbers, or customs numbers, Excise office.

Q.—The numbers on the barrels would help to identify them with the number that you put on ? A.—Oh, yes.

Q.—Well, having done that, what else did you do ? A.—Well, I made sure that it was alcohol in the barrels before I left.

Q.—How did you do that, now ? A.—Well, I took—I don't know what you call it, I think it is some kind of a gimlet—

Q.—Gimlet would do. You bored two or three— A.—Two or three ; I just picked them out ; I didn't go through the whole of it, because it is quite a job.

Q.—What did you find the contents of the two or three you bored ? A.—Well, it tasted like liquor.

Q.—Well, what— A.—Well, it tasted like liquor.

Q.—What else did you do ? A.—Well, I made sure that there was no other entrance to the cellar.

Q.—No other entrance than what entrance ? A.—Than the way that we took them down into the cellar.

Q.—From the floor above ? A.—From the floor above.

Q.—Yes ? A.—I closed the trap door—

Q.—What is the trap door—the trap door where you took them down ? A.—Yes.

Q.—I see. A.—And I locked it with a Yale lock.

Q.—Very well. Now, is that the last you had to do with this alcohol ? A.—No ; I received instructions to make a daily inspection of this alcohol.

Q.—From whom did you receive the instructions ? A.—From the Superintendent, through the Assistant Superintendent.

Q.—Quite so. A.—And I carried out those instructions.

Q.—You made a daily inspection ? A.—I made a daily inspection.

Q.—What did your daily inspection consist of ? What did you do each day ? A.—Well, I went down into the cellar and I looked them over to see whether they had been tampered with or not, and I didn't go to very much trouble about it. I could tell from the positions they were in whether they were in the same positions as when I had left them, and I decided that they were all right, and I locked the cellar again.

Q.—Then, what became of them afterwards ? A.—Well, they were there until the 8th of January. Mr. Bell wanted to ship them, and he got in touch with me, and I received instructions from the Superintendent to unlock the cellar and allow Bell to ship them, but I was to superintend it.

Q.—You were to superintend the shipping ? A.—Yes.

Q.—Did you do that ? A.—I did.

Q.—Did you see the barrels taken out ? A.—I did ; I remained with the barrels until they were on the car, and the car was sealed.

Q.—I see. What day was that, do you remember ? A.—That was the 8th of January.

Q.—What time of the day were they loaded in the car, and the car sealed, the finishing done ? A.—Well, it was quite a long job ; it took part of the morning and all the afternoon, and, I think, it was about supper time that we sealed the car ; and I found out from the freight agent that that car would probably leave about 10 p.m.

Q.—Yes ? A.—So, during the evening, somewhere between nine and eleven, possibly I don't know the exact time, I went up to the yards, and I examined the car again to see if it had been tampered with, and the seals were intact the way that I had left them.

Q.—What do you say from the result of all your oversight throughout as to whether the alcohol was shipped out, or whether there was any change made in the meantime ? A.—Oh, undoubtedly it was shipped out.

Q.—The alcohol was shipped out ? A.—It couldn't possibly have been anything else.

Q.—It could not have been otherwise ? A.—No.

Q.—Well, then, what more, if anything, do you know about that alcohol ? A.—Well, I don't think anything else, Mr. MacKay ; of course, you know all about who it was consigned to, and so on.

Q.—Who was it consigned to ? A.—It was consigned to the Boivin Wilson Company, of Montreal.

Q.—Yes ? A.—And I was with Mr. Bell when he paid the freight, prepaid the freight on it.

Q.—To Montreal ? A.—To Montreal, yes.

Q.—Do you remember how much freight he prepaid ? A.—Something over \$400, I think.

MR. EWING : Was with whom ? A.—With Mr. Bell.

MR. MACKAY : That is Nat Bell ? A.—Yes.

Q.—Well, now, what else do you know about it ? A.—I don't know that there is anything else.

Q.—You had nothing to do personally, had you, with tracing it up after that ? A.—No, after I turned in my report on the 9th of January that was all I had to do with it.

Q.—All right.

MR. EWING : The liquor was in the warehouse when it first came to your attention ? A.—Yes.

Q.—What time of the day did you go down to take charge of it ? A.—I think it was in the morning.

Q.—How long had it been in the warehouse ? A.—Well, that I cannot say.

Q.—Who was in charge of it when you got there ? A.—It was Mr. Fisher, Inspector Fisher.

Q.—Was he there at the time ? A.—Yes, and the Assistant Superintendent, I think.

Q.—Who ? A.—Piper.

Q.—That is, Mr. Fisher and Mr. Piper were both there ? A.—Well, I wouldn't say that they were both there, but—

Q.—Was anybody there ? A.—Oh, yes, Mr. Fisher was there if Mr. Piper wasn't.

Q.—Was Mr. Bell there ? A.—Oh, there were one or two men around there belonging to the store ; possibly Mr. Bell was amongst them.

Q.—You don't know whether Inspector Fisher had been there from the time that the liquor arrived at the warehouse or not, do you ? A.—No ; no, I couldn't say that. I know Mr. Fisher took it over from the car ; I know that he had the looking after it anyway after we were notified.

Q.—Now, then, you decided to take it into the cellar ; were there any windows in the cellar ? A.—No.

Q.—There wasn't a window in it ? A.—No.

Q.—There was no light in it, even, except what came through the ingress ? A.—Just electric light.

Q.—Just electric light. I mean, there was no sunlight ? A.—No, none at all.

Q.—You say you tested this ; that is, you drew off—how much liquor did you draw off ? A.—Oh, just a saucerful, something like that.

Q.—And how did you test it ? A.—Well, I tasted it, for one thing.

Q.—What did you do for another thing ? A.—Well, we touched a match to it.

Q.—That is, you lit it ? A.—Yes.

Q.—Did it appear to be good alcohol ? A.—Well, I am not much of a judge of alcohol, except that I know it was alcohol, or spirits of some description ; of course, it might have been methylated spirits ; that would light, too, for all I know.

Q.—That is the only test ? A.—That is the only test.

Q.—You lit a match to it, and you tasted it. You had no instruments ? A.—No, we lit a match to it, and we tasted it.

Q.—You tested it again, did you not ? A.—Yes, I tested it again, before it went out.

Q.—How long before it was shipped out of the warehouse ? A.—That I tested it ?

Q.—Yes. A.—Oh, I tested it that day ; I tested it in the morning ; it was shipped out in the afternoon of the 8th of January, and I tested it in the morning.

Q.—How many barrels did you test ? A.—Oh, two or three. I wouldn't say exactly how many ; I know I picked out two or three.

Q.—Was it the same two or three that you tested the first time ? A.—Possibly, I don't know ; I know I took the numbers when it came in, and I took the numbers of three that I tested.

Q.—Did you take the numbers of the three you tested the second time ? A.—No, there was quite a hurry to get it shipped out.

Q.—And what was the hurry ? A.—Well, I wanted to get it tested and get it shipped out before it got too late. I just picked out two or three barrels ; the men were waiting.

Q.—Too late in the day, you mean ? A.—Yes, the drays were coming to take it away.

MR. MACKAY : While you were testing it ? A.—Yes, and consequently I didn't pay much attention—

MR. EWING : You tested it in the same way, did you ? A.—I tested it in the same way.

Q.—Did you go down to the station with it ? A.—Yes, I went with the drays ; there were two drays.

Q.—Was anyone else present when you lit a match to it the second time ? A.—No, I went down in the morning alone, and, in the afternoon, I think I had a constable down there with me to relieve ; you see, I had two drays, I had one to be looked after while the other was away.

Q.—You had all this to do yourself ? A.—Yes.

Q.—And you were in a hurry. Isn't it true that someone else drew this off for you and handed it to you to taste ? A.—No.

Q.—What ? A.—No.

Q.—That is not true ? A.—No, it is not true ; I did it myself.

Q.—That is you bored the gimlet hole into the barrel and you didn't see the actual ones that you bored in before ? A.—No, I didn't pick out the same barrels, you see, I simply—

Q.—You just selected them at random ? They might, or might not, have been the same ? A.—They might have been the same.

Q.—You are quite sure you bored in a fresh hole? A.—Yes.

Q.—Wasn't somebody there at the time? A.—Well, there might have been one of those foreigners that was working around there. I know he got me the gimlet in the first place.

Q.—But I am speaking of the second place. I am quite sure it was alcohol that went in. Didn't the man who was around there—didn't he do the actual work for you, and you did the testing, isn't that right? A.—No, it isn't.

Q.—It isn't right? A.—I did the whole business. It was simply for my own information and for the information of the Superintendent where he —

Q.—There wasn't any gin there, was there? A.—No, it was a shipment of alcohol.

Q.—It was all alcohol? A.—It was all alcohol, that is what I understand; of course, if gin will burn it might have been gin.

Q.—You couldn't say? A.—No.

Q.—It was something that would burn, that is all? A.—Yes.

Q.—Did you taste it the second time? A.—Yes.

Q.—Did it have the same taste as it had the first time? A.—It tasted the same to me.

Q.—It did, eh? I see. Do you know anything further about this liquor? A.—I think I have told you everything that I know about it.

Q.—Has it ever been brought to your attention since the day when you helped load it into the — A.—No, not except that I hear things like everybody else hears, but it is merely hearsay as far as I know.

Q.—Well, I don't know what everybody else hears. A.—Well, I read the papers.

Q.—You have just read the papers. That was all, was it? Beyond what was in the papers, you don't know anything more about that? A.—I don't know anything more about that shipment, no; it was out of my hands when I washed my hands of it.

Q.—Has there been any discussion in police circles about it that you have heard? A.—Well, I don't know that I am compelled to give any secrets of that description; as a matter of fact, there is not; no, except amongst the boys.

Q.—I would sooner you would say that than to say you were not compelled to give any secrets. A.—I know, but you understand, there has nothing official been said about it except probably the boys have discussed it. I don't know; I have never paid much attention.

Q.—Then you have said definitely that you haven't heard any discussion about it; that is your evidence here? A.—I have heard civilians talking about it, yes.

Q.—But you haven't heard any policemen? A.—No, not the police.

Q.—You haven't taken any steps in consequence of what you heard, have you? A.—No, I haven't; no.

Q.—You don't know of any investigation being made by anybody in authority? A.—No; you see, after I had completed my duties as far as that shipment was concerned, I go back to my ordinary routine which has nothing to do with the criminal end.

Q.—I am not suggesting it was your duty to do anything that you haven't done, but I am just asking as to the facts. A.—No, I have nothing to do with the criminal end or anything of that description; I am —

Q.—I was asking as to your knowledge, not the reason why you haven't knowledge. A.—I don't know anything about that.

Q.—You don't know of any steps being taken in connection with this shipment of liquor? A.—Yes, that is all in the hands of the Superintendent.

Q.—Yes, I know it is. I know it would not be in your hands, but I am asking if you have any knowledge. A.—No, I have no knowledge.

Q.—You attend strictly to your own work, I see? A.—Yes.

Q.—That is good business. That is all.

MR. MACKAY: Just one question. You have told us the morning it was shipped out you tested three barrels. Just go on with what you did then with reference to the shipment. Did you leave the warehouse and go away, or did you stay there with the drays, the two drays? A.—Oh, no, I stayed right there, Mr. MacKay.

Q.—I want to know—you said there were two drays out, and you did the testing. Were any barrels put on those two drays that were waiting after you were done testing? A.—Yes, we loaded the 25 barrels on those two drays.

Q.—You loaded it on the two drays? A.—Yes.

Q.—Were you there? A.—What?

Q.—Did you go over with the drays? A.—I did.

Q.—And did you see them loaded on the car? A.—Yes.

Q.—And the car sealed up? A.—Yes.

Q.—You were continually on the job? A.—Continually on the job, yes.

MR. MACDONALD: Did you take the seal numbers on the car? A.—Yes, I did. One seal was 512121, and the other was 512122, and the car number was 40523; it was a Grand Trunk refrigerator car.

(Henry Fidler was then called and sworn, but it was decided to take John D. Nicholson and Mr. Forster first.)

JOHN D. NICHOLSON, being called as a witness, and duly sworn, was examined and testified as follows:

MR. EWING: Shall I begin, Mr. Nicholson, or do you begin?

MR. MACKAY: Go on, you were going to get the story out, and that is why he was called.

THE CHAIRMAN: I think he is your witness.

MR. EWING: It does not matter.

Q.—You live in Edmonton, Mr. Nicholson? A.—Yes.

Q.—And you have had a long experience in police work? A.—Yes.

Q.—You were Superintendent of the Alberta Provincial Police for some time, were you not?

A.—Assistant Superintendent.

Q.—Assistant Superintendent; I beg your pardon. Prior to that you had had a long experience in the Royal Northwest Mounted Police? A.—Yes.

Q.—And since you have ceased to be connected with—— Perhaps I had better let you tell the story. You ceased to be Assistant Superintendent of the Alberta Provincial Police; you then ceased to have any connection with the Alberta Provincial Police force, did you? A.—Yes, sir.

Q.—Have you since been connected with the Provincial Police force? A.—No, sir.

Q.—Have you since been in the employ of the Alberta Government? A.—From the first of the year.

Q.—From the first of this year? A.—Yes, sir.

Q.—And in what capacity, Mr. Nicholson? A.—Chief Detective.

Q.—And you have under you a corps of detectives, is that—— A.—Well, not many now.

Q.—You have some, have you? A.—Yes, sir.

Q.—And what are you—— A.—Special work.

Q.—Are you and your force engaged in——? A.—Special work in connection with the Liquor Act.

Q.—I see. Well, now, I want to direct your attention, Mr. Nicholson, to a transaction with reference to a shipment of liquor which went into Nat Bell's warehouse under Police supervision in November of last year, and which is sworn to have been shipped out of there on or about the 8th of January of this year. What do you know about that? A.—Well, on the date of that shipment, I think it was the 8th of January, the Attorney-General, Mr. Boyle, instructed me to see that this shipment went out of the Province, and to trace it to its destination.

Q.—I see. That was on the 8th of November? A.—I think it was the 8th; it was the day of the shipment, anyway.

Q.—8th January? A.—8th January, yes, because I went direct to the Superintendent of Police, from him to Mr. Bryan.

Q.—And then what did you do? A.—I asked him about this shipment, and he said it had been shipped that day. I asked him if he was satisfied that it was all right, that the shipment had not been tampered with, and he said, yes; he had had it tested, and was satisfied absolutely that it was all right.

Q.—Yes, and——? A.—And I asked him—I want to have it traced; what he was going to do, and I understood him to say that he had sent in a man to see it out of the Province, and, from there, he was going to trace it on. I saw him sometime later.

Q.—Perhaps we had better get the connected—— Did you take any further steps? A.—No, that is all I did.

Q.—You just rested? A.—I took his word for it.

Q.—You just took his word for it in that connection? A.—The Sergeant-Major was looking after it, and the car was sealed.

Q.—Sergeant-Major Hancock? A.—Yes.

Q.—Oh, at that time the car had already been sealed? A.—Yes.

Q.—So there wasn't much use of doing anything then? A.—Well, there was nothing that I could do; I was quite satisfied with their statement; as far as I understood from the Attorney-General, he just wanted to see that that liquor went to its destination.

Q.—Where was its destination? A.—Boivin, Wilson, Montreal.

Q.—What happened later in connection with it? A.—Later on, some time towards the end of the month, I asked the Superintendent Bryan if he had traced that to its destination.

Q.—Yes. A.—He said it hadn't—he hadn't up to that time. Well, I had a special man in Montreal on other duty; I wrote him, I believe it was the 28th and the 30th of January, instructing, giving him the number of the car—40235, I think it is, or 53——

Q.—You say you had a special man who was there under your charge? A.—A special man on special work.

Q.—In your employ? A.—Yes.

Q.—And what happened? A.—I told him to try and locate this car, and watch it.

Q.—Yes, and did he? A.—He located it first on the 3rd February.

Q.—Where? A.—Hamilton, Ontario.

MR. MACKAY: Hamilton? A.—Hamilton, Ontario.

MR. EWING: Yes. A.—It remained there for four days.

Q.—It had not been opened? A.—Well, I would not know that.

Q.—Well, I mean your man didn't—— A.—He wasn't there; he was in Montreal.

Q.—He was just merely tracing it. All right? A.—On the 10th February it arrived in Montreal, and was accepted by the consignee.

Q.—Boivin, Wilson? A.—Yes, and delivered in their warehouse.

Q.—What condition was it in when it was received and accepted by him? A.—Well, I can only give you that from what I hear.

Q.—Oh, yes, I am asking you from your report of your — A.—Well, he said the barrels were frozen.

Q.—Were they all frozen? A.—Well, he didn't mention that.

Q.—Said the barrels were frozen. Anything else? A.—No, that was all. The fact, the condition was something that I wasn't asked to get at all; all that I needed to do was to see the shipment arrived there.

Q.—Did Boivin, Wilson make any complaint about it? A.—He said they were accepted by the consignee, and delivered in their warehouse.

Q.—I see, frozen alcohol. Alcohol does not usually freeze, does it? A.—A very poor quality if it freezes.

Q.—Will any reasonable quality of alcohol freeze? A.—The alcohol won't, but any water in it would.

Q.—If it was all water, of course, it would freeze in the cold weather? A.—Yes.

Q.—Well, you did nothing in consequence of that, did you? A.—Nothing; nothing to do.

Q.—Well, did you report anything further, I want to get everything in connection with your instructions? A.—Well, there was nothing further in that.

Q.—Well, I mean anything further— A.—I might say I saw him personally on the 15th or 16th of March, and he just simply reported the same thing.

Q.—Didn't you make some enquiry as to the extent — A.—No.

Q.—The fact that it was frozen satisfied you, didn't it? A.—It did.

Q.—Satisfied you that it was water, didn't it? A.—Well, whatever barrels would be frozen would be water.

Q.—Well, they were all frozen; didn't he — A.—He didn't state all.

Q.—He didn't say there were some were not frozen? A.—No, I took it that way, that the whole shipment—

Q.—You took it that they were all frozen, and that they were all water; that is the plain conclusion, isn't it? A.—Yes.

Q.—Was your man there when the car was opened, do you know? A.—He saw the shipment taken out.

Q.—Saw the shipment taken out, that is, he would see the opening of the car and the taking out? A.—Yes.

Q.—Was the car sealed at the time it was opened? A.—That wasn't mentioned at all.

Q.—He didn't mention that. You know the consignors in Edmonton, do you not? A.—Mr. Bell, yes, sir.

Q.—You have known Mr. Bell and the companies with which he had been associated for some time, have you not? A.—Yes, sir.

Q.—Mr. Nicholson, do you know anything about either Mr. Bell or some of his associated companies getting a large number of kegs manufactured locally just prior to this alleged liquor being shipped out of the country? A.—Not personally.

Q.—Not personally? A.—No.

Q.—Well, I mean, have you heard something about that?

MR. MACKAY: Well —

MR. EWING: I am just asking him the fact

A.—I have nothing that I could give; I heard a rumor, that was all.

Q.—You just heard rumors to that effect? A.—Yes.

Q.—Well, you cannot give us any information, then, Mr. Nicholson, as to these kegs? A.—No, Just a mere rumor, I don't even know if there is anything to it or not.

Q.—No, I quite understand, it was just a mere rumor that you heard. You didn't follow it up at all, did you, as a detective? A.—Not at all.

Q.—Because at that time there was no suspicion attached to it in your mind at that time? A.—No, sir, I was quite satisfied that that was a legitimate shipment went out; I took the Superintendent's words for it. The only thing I had to do was that if he wasn't seeing to its destination, I intended to.

Q.—I just wanted to get the facts. You didn't take any steps to find out — A.—I didn't take anything any further in that.

Q.—Whether there was anything in this manufacture of kegs? A.—No.

Q.—Can you give us any further information concerning this? A.—Not in connection with this.

Q.—I want to get any information that you have in connection with it. A.—There is not anything; I have nothing else that I can give.

Q.—You have told us all? A.—Yes.

Q.—That is quite satisfactory. May I ask one question? Did your man report that any of the barrels were burst? A.—Yes.

Q.—Some of them were burst? A.—Well, that they were a mass of ice; they must have been burst and let the liquid out, I suppose.

Q.—Did your man take the number of the barrels that were—? A.—No.

Q.—He didn't do that, that is, he didn't keep any check of the barrels that were—? A.—No.

Q.—And Boivin, Wilson received these without any protest, so far as he knew? A.—Yes.

Q.—They opened the car and took out 25 barrels of ice, and apparently said nothing about it? A.—I didn't know how many there were, whatever the shipment was; he said they accepted and took it to the warehouse.

MR. WEIR: Do you know if there was ever a claim made to the railway company in connection with that for damage? A.—No, I don't know.

MR. MACKAY: Mr. Nicholson, you said this shipment did not get to Montreal till February 10th; that would be from January 8th to February 10th. Is that a usual time for a shipment to take from Edmonton to Montreal? A.—Two or three weeks—I don't know about going down, but two or three weeks coming.

Q.—Well, you said it was in Hamilton on a certain date, so your man reported. Is that on the direct route to Montreal? A.—No, sir, I don't know how it would get down there.

Q.—But it was at Hamilton on what date, according to the report to you? A.—On the 3rd and remained there for four days.

MR. EWING: It was hunting for non-prohibition territory.

MR. MACKAY: It remained in Hamilton, and was there for four days? A.—Yes.

Q.—What railway was it shipped on? A.—From here?

Q.—Yes? A.—I don't know that; I think it was the Grand Trunk.

Q.—I think they said the Grand Trunk, yes. A.—I just got the number of the car from the police, and that is all I asked.

MR. WEIR: It went via Hamilton.

MR. MACKAY: It was four days in Hamilton? A.—Well, it was there; I don't know how it got there.

MR. WEIR: I don't know how it lasted four days in Hamilton.

(Mr. F. G. Forster was then recalled—see evidence already typed.)

(Follows F. G. Forster's evidence of April 4th.)

HENRY FIDLER, having been called as a witness, and duly sworn, was examined by Mr. MacKay, and testified as follows:

Q.—What is your position? A.—Excise Officer.

Q.—In Edmonton? A.—Yes.

Q.—Were you Excise Officer last November? A.—Yes.

Q.—We are discussing a shipment of liquor from Nat Bell, Limited, of Saskatoon, to Edmonton, in November last. Have you any documents with you bearing on that? A.—I have copies of things that affect it; the original of anything we receive in this record would be in Calgary, and all we can produce are copies.

Q.—What have you as copies? What have you? A.—Well, this was the liquor that was shipped up (producing paper).

Q.—Is this all one shipment? A.—That is all one shipment, all one car.

Q.—What do you mean "Calgary" on that? This is Calgary Division? A.—Yes.

Q.—Where is that that shows it came from Saskatoon? A.—I say this was only a copy, the proper papers are in Calgary; these here are not the originals at all; these are only our warehouse papers; they make them here; we haven't got any papers —

Q.—Are they excerpts from them and not full copies? A.—They are full copies; the originals are in Calgary.

Q.—Well, get at it in this way: Do you remember the shipment from Saskatoon? A.—I do.

Q.—Do you remember what date it came? A.—On or about November 9th.

Q.—Did you see any shipping bills? A.—Yes.

Q.—Where are the shipping bills? A.—With the railway.

Q.—Came about November 9th? A.—Yes.

Q.—Now, what did you do? How were they consigned? A.—To the "Inland Revenue, Notify Mr. Forster."

Q.—Notify Mr. Forster? A.—Yes.

Q.—Did you get a copy of the shipping bill? A.—Yes.

Q.—As you say, the liquor was consigned to the Inland Revenue and to notify Mr. Forster. What did you do? A.—I notified Mr. Forster.

Q.—How did you notify Mr. Forster? A.—By 'phone.

Q.—Personally? A.—By 'phone, yes.

Q.—You notified him personally by 'phone. What did you tell him? A.—Mr. Sugarman came in with a copy of a bill of lading to the office and asked me to release —

Q.—Are you taking it in order now? A.—Yes, I am just giving it because it happened to be a peculiar case; it was the time of the 'flu.

Q.—You are taking it in order? A.—Yes.

Q.—Well, go on. A.—Mr. Sugarman came in with a copy of bill of lading of liquors shipped up from Saskatoon to Edmonton and asked me to release —

Q.—With a copy of a bill of lading? A.—Yes, sir.

Q.—What was on the bill of lading? How was it consigned as per that bill of lading? A.—I believe to Inland Revenue, notify Forster; that is what I believe.

Q.—Then what? A.—And asked me to release the bill of lading. I asked Mr. Forster if it would be right for me to release this on Mr. Sugarman paying the duty; Mr. Forster said, yes, nine barrels was coming to the Government, and the only way he could get his nine barrels was by having it shipped in.

Q.—Then do you say he gave you authority if Sugarman paid the charges to release to Mr. Sugarman? A.—Yes, sir, to the Nat Bell Liquor Company.

Q.—You got that from Mr. Forster over the 'phone? A.—Yes.

Q.—I suppose you have known Mr. Forster for years? A.—Yes, for quite a while.

Q.—And as a result of his telling you it would be all right to release the car to the Nat Bell Company if the charges were paid, what happened, who paid the charges? A.—I signed the bill of lading as follows: "Deliver to"—I don't know for sure whether I said Nat Bell Liquor Company, or whether I said to the Government Vendor—"upon payment of freight and of all charges. Signed H. Fidler, Acting Deputy Collector." I won't be sure whether I said Nat Bell Liquor Company, or whether I said to the Government Vendor.

Q.—Would you sign it after you had spoken to Forster over the 'phone? A.—After, surely.

Q.—Now, who paid you? A.—Sugarman.

Q.—Do you remember how much he paid you? A.—Yes.

Q.—How much? A.—\$5241.80.

Q.—Duty? A.—Yes.

Q.—All duty? A.—All duty.

Q.—Would you have released that to Nat Bell, or anybody else, if you had not got Forster's authority? A.—No, sir.

Q.—You wouldn't? A.—No, sir.

Q.—And do you say that you did release it to the Nat Bell Company or Mr. Sugarman as a result of Forster's instructions to do so? A.—I said I am not perfectly sure whether I released it to them or to the Government Vendor.

Q.—To whom did you give the document? A.—To Mr. Sugarman.

Q.—He was the man that was dealing with it, I understand? A.—Yes, he had the bill of lading.

Q.—Let us explain it again. Mr. Sugarman took the bill of lading to you? A.—Yes.

Q.—Was that the first you saw of the bill of lading? A.—It was.

Q.—And on that bill of lading the bill of lading showed that the goods were consigned to Inland Revenue to notify Mr. Forster? A.—Yes.

Q.—Seeing that, you rang Mr. Forster up? A.—Yes.

Q.—And asked him what? What did you tell him? A.—I told him Mr. Sugarman was in and wanted it released, the goods released, and asked him what he had to say about it, and he said it would be all right to release them for Mr. Sugarman, that he had nine barrels coming inside that shipment belonging to the Government. At the time the 'flu was on, and they were shy of liquor.

Q.—He explained that to you? A.—Yes.

Q.—But the point I am getting at is, did you get authority to release to Mr. Sugarman? A.—Yes, sir.

Q.—And Mr. Sugarman paid you? A.—Mr. Sugarman paid.

Q.—And you marked something on the bill of lading, and handed it back to Mr. Sugarman? A.—Yes.

Q.—I don't believe there is any doubt about the order—you didn't 'phone Forster, or did you? Don't let me mislead you; I just want to get the order. Was it after Sugarman came in and showed you the shipping bill and you saw it had "Notify Forster," was it after that you 'phoned Forster? A.—Yes.

Q.—Certainly; and got the authority to release the shipment to Sugarman and gave him the papers? A.—Yes.

Q.—Was that all? A.—Yes.

MR. EWING: Do you know what date this car came in? A.—Well, the date I was first notified was the time that Sugarman brought me the bill of lading on or about the 9th November, Saturday morning, I believe.

Q.—Would you, in the ordinary course of business, get notice of the date when the car arrived? A.—No, the papers are sent from one office to another, for instance, in this case, Saskatoon office comes down to Moose Jaw and goods sent from Saskatoon up to Edmonton would have to go to their head office, to Moose Jaw, then from the head office of Inland Revenue to the head office that was in Calgary, and then from Calgary to us, and, consequently, the goods arrive here before the papers come through by post.

Q.—Yes, quite often the papers arrive before the goods arrive? A.—Quite often the papers arrive before the goods, but in this case the goods arrived before the papers.

Q.—In which case? A.—This particular case.

Q.—Do you know when the goods arrived? A.—On or about the 9th, that is the first I knew about it; I couldn't give you any definite date of when they arrived in Edmonton.

Q.—You said the goods arrived before the papers arrived evidently? A.—I got my paper from Mr. Sugarman instead of having a notice from the Department.

Q.—The first notification you had of the goods' arrival was from Mr. Sugarman? A.—Yes, sir.

Q.—And you don't know how long that car arrived in the Edmonton yards before that? A.—No, sir.

Q.—Would you be surprised to know that that car arrived here on the 4th of the month? A.—I don't know anything about it.

Q.—That might easily be. A car consigned to the Inland Revenue Department might stand in the railway yards for five days before you knew anything about it? A.—Yes.

Q.—Now, then, Mr. Sugarman came to you with the bill of lading, and who made up the excise charges? A.—The amount?

Q.—Yes. A.—I did.

Q.—You made it up from the bill of lading? A.—Yes, figuring it as closely as I—they had a copy from Saskatoon made out by the collector in Saskatoon; I took it from that and sent Mr. Sugarman back again to the bank; he brought an accepted cheque. I sent him back again to the bank to get a letter from the bank, guaranteeing any further payment which may be required should the amount of duty not be correct, so that I would be covered with the correct amount. He went and he got that.

Q.—And he brought you in \$5,241.80, and subsequently brought you a letter from the bank undertaking to pay any further charges that might be found to be due? A.—Yes, sir.

Q.—What did you do to see whether or not any further charges might be due? A.—Well, when my papers arrived I checked over the papers naturally, and saw that the duty was correct, saw it was all right.

Q.—And then your responsibility ceased, as you understood it? A.—Why, when I had notified Mr. Forster my responsibility ceased; whenever the duty had been paid on the liquor, we had nothing to do with it.

Q.—You then had turned over the bill of lading to the Nat Bell Liquor Company; they had sole charge of the unloading of that and as far as you are concerned, they had sole charge of it? A.—Yes.

Q.—Mr. Forster told you nine barrels of that were going to the Government Vendor? A.—Yes, sir.

Q.—And did he say anything about the balance? A.—I told him what the balance was, and he said, that is all right.

Q.—Told him what the balance was, how do you mean? A.—What the balance was that was coming in, I gave him—

Q.—You understood from him, then, that the remainder of the shipment was going to the Nat Bell Liquor Company? A.—I did.

Q.—And you didn't concern yourself about that at all? A.—No, sir.

Q.—Has any claim ever been made to the Inland Revenue for a refund of any portion of that \$5,241.80? A.—Not to my knowledge, no, sir.

Q.—Well, it would be made through your office? A.—It should be made through our office, yes.

Q.—And there is no claim in respect of that at all? A.—No record at all, no.

Q.—Did you ever learn, as a matter of fact, that four barrels disappeared somewhere of that shipment? A.—Well, on or about November 20th—I have got a letter here dated 21st addressed to Mr. Douglas, the Superintendent, or Mr. Douglas—I think Mr. Douglas asked that this liquor be checked up that was in the warehouse of Nat Bell, asked us to check it.

Q.—Asked your office to check it? A.—Yes, but it had nothing to do with us.

Q.—You were through with the liquor? A.—Yes, we were through with the liquor, and he asked us to check it up and we checked it. I have got here a copy of the letter. (Reads as follows):

“Edmonton, November 21, 1918.

“To R. B. Douglas, Esq., Chief Vendor, Alberta Government.

“Dear Sir:—Regarding liquor shipped by the Nat Bell Liquor Company, Limited, Saskatoon, I have to state that the enclosed was a full and complete statement of the liquor removed in bond from their excise warehouse in Saskatoon, by the request of the Superintendent of the Alberta Provincial Police, an officer of this department checked the goods remaining in the warehouse of Nat Bell Liquors, Limited, on Wednesday, November 20th, 1918, at 3 p. m., and reports as follows:

“Barrels marked (✓) in warehouse; barrels marked by red cross, missing; the last item of 9 barrels in the warehouse of the Alberta Government. The duty on the whole being paid by the Nat Bell Liquor, Limited, and papers signed by William Sugarman on their behalf.

“Trusting this will meet with your requirements, I remain, dear sir,

“Yours respectfully,

“(Sgd.) H. FIDLER,

“Acting Deputy Collector.”

Q.—Then, the letter above referred to, of November 21st, refers to the barrels marked with red ink on the invoice which you produce? A.—Yes.

Q.—I notice, then, that there are four barrels marked in red ink? A.—Four barrels.

Q.—What you mean, therefore, is that four barrels are found missing? A.—Yes, sir.

Q.—What is the regular procedure when a consignment of liquor comes in addressed to the Inland Revenue Department with reference to the disposal of it, after it arrives in the yard? A.—The bills of lading are forwarded on to the Inland Revenue Department; we notify those to whom

it is for; for instance, they come as I have stated, consigned to the Inland Revenue, notify—right now, the Alberta Government, Mr. Douglas, the Government Vendor; we notify Mr. Douglas and he would have warehouse papers made like this—a copy from the originals, you see—removal papers, the necessary removals.

Q.—Who would pay the freight? A.—The Alberta Government.

Q.—When would they pay it? A.—Well, that is their arrangements with the railway.

Q.—Might they pay at any time? A.—I couldn't say, sir; we just sign our bill of lading.

Q.—So far as you are concerned, you don't care when they pay the freight? A.—No, sir.

Q.—They can pay it either before they come to you or after? A.—No.

Q.—You are only concerned in the excise, and you don't endorse the bill of lading over until they have paid your excise? A.—Or, placing it in bond.

Q.—Now, would you be surprised to know that the freight on this particular shipment was paid on the 5th? A.—No, sir.

Q.—Eh? A.—No, it wouldn't surprise me.

Q.—Well, the bill of lading produced here shows that the freight was paid on the 5th. Mr. Sugarman didn't bring the bill of lading to your office until the 9th? A.—No, Saturday morning I believe.

Q.—Well, that would be the 9th? A.—I believe.

Q.—Where did Mr. Sugarman get the bill of lading that he brought to you? A.—I expect he brought it up with him from Saskatoon; I don't know; I don't know whether he had been down there or not; he had it.

Q.—In an arrangement such as this, how many duplicates of the bill of lading are made? A.—We receive one only, what we term the original.

Q.—From the Inland Revenue Department in—? A.—Comes through the Inland Revenue Department, yes.

Q.—And do you know how many others there are? A.—Oh, I would say two others, I don't know definitely.

Q.—Well, when a carload of liquor is consigned to you—to your department, I mean, of course—what steps do you take to protect that liquor in the railway yards, any? A.—Well, it is protected all the while it is in the railway yards, while it is under bond until we release it; if it is going into bond then we see that all liquor is brought to the warehouse, to where it is consigned.

Q.—This was not going into bond, so you did not do that? A.—We had nothing to do with it so soon as the duty was paid.

Q.—And I suppose so long as you were paid the duty on them, if four barrels were missing, you don't care—I mean the excise? A.—No.

Q.—And so far as the four barrels were concerned on which the excise was paid, there has never been any claim for a refund? A.—No.

Q.—Here is the copy which Mr. Sugarman brought to you. Do you recollect if that writing was on it? A.—I don't remember.

Q.—Do you know whether that is the exact one that was brought to you by Mr. Sugarman? A.—No, I couldn't say that.

Q.—You couldn't identify that at all? A.—No.

Q.—You don't know whether there was any red ink writing on the one that was shown to you? A.—No, I couldn't—I don't remember so long back.

Q.—Could you say there wasn't any red ink writing? A.—No, I couldn't say that. I don't know.

Q.—That is all.

MR. MACKAY: Mr. Fidler, on this shipping bill, or bill of lading, you see there is a stamp "Payment received, Nov. 5, '18, per G. T. P., Edmonton," some initials. That apparently would be the stamp for the freight? A.—I'd think so, yes.

Q.—It apparently came by G.T.P.? A.—Yes.

Q.—And apparently the freight charges are paid on November 5th. Now, you mention November 9th. Are you speaking by recollection? A.—Yes.

Q.—You are only speaking from recollection? A.—I said on or about November 9th.

Q.—You are only speaking from recollection? A.—Yes.

Q.—It may have been earlier than the 9th? I don't know whether it was or not. The freight was paid on the 5th. Was the 5th Tuesday? A.—Yes, sir.

Q.—Have you no document—where could we get a document, or would any document show? Haven't you got another document that would show when the duty was paid? A.—No, sir, I would have had my papers arrived, but I had had no papers at the time from the Department, they had not come through, otherwise I would have the right paper.

Q.—I thought you would have a cash book? A.—I couldn't put it through; I hadn't warehoused the goods; I couldn't excise the goods till I warehoused the goods.

Q.—Well, you got \$5,000, on this? A.—In a cheque.

Q.—Well, you got a cheque, wouldn't you enter that? A.—We have to wait until we warehouse the goods, until we can ex-warehouse it.

Q.—In other words, you wouldn't make the entry till later? A.—No.

MR. JAS. RAMSEY: The cheque of the Nat Bell Company would show that.

Q.—You didn't deposit the cheque until — A.—I don't think the cheque was deposited until somewhere around the 15th or 20th.

MR. MACKAY: What did you do after you got the cheque? A.—We couldn't do anything with the papers until we received our papers from there.

Q.—When did you get your papers? A.—I got our papers later on; I don't know what date. I think, finally, they went through on the 20th, on the 15th, anyway, the paper for receiving was signed as of the 15th of the month; we couldn't do anything otherwise.

Q.—I am just asking you one more question. When you say it is the 9th—I am not saying you may be wrong; you are speaking from your best recollection? A.—Yes, sir.

MR. EWING: Would you give Mr. Sugarman a receipt for the money? A.—No, sir, the goods were a receipt.

Q.—I am asking if you actually gave him a receipt? A.—No, not at all.

Q.—And you have no record at all in your office of having received that money at that time? A.—No.

Q.—You haven't, eh? A.—No.

Q.—What day of the week was it on? A.—I believe a Saturday.

Q.—You are not sure it was—

MR. MACKAY: He said it was the 9th.

Q.—You believe it was the 9th? A.—Yes, I believe it was the 9th, Saturday morning. To swear to things is very hard; it is a long time.

Q.—I am making allowances for all the defects—I am asking you if you can say that it was Saturday. A.—I believe it was Saturday.

MR. RAMSEY: It may have been Saturday, November 2nd? A.—I don't think so. My book—I have got a ledger there just as a memo. for the date, of some idea of what happened to it because of the fact of the papers not having arrived, at the time I put on the side, November 9th, you see, as date of having been notified; that is where I get my memory. I remember the day, Saturday, and the date was the 9th by what I have got there.

MR. EWING: Well, Saturday was the 9th.

MR. MACKAY: Would November 9th be the arrival of your excise papers? A.—No, I hadn't my excise papers on the 9th. The 9th was the date I signed the paper, release for the goods.

Q.—Well, then, what entry have you any place, and what is it, after November 9th? A.—I don't know what you mean.

Q.—You made a notation on November 9th? A.—Yes.

Q.—Now, then, what date with reference to this shipment, if you have any, is your next date? Have you any book? A.—I couldn't say, I don't remember; I haven't the book here.

Q.—It was after that? A.—Oh, it would be after that.

MR. EWING: Just one question you suggested to me. As soon as you got the bill of lading you say you 'phoned to Mr. Forster? A.—Yes.

Q.—To whom did you 'phone? Did you 'phone to Mr. Forster's office? A.—Yes.

Q.—That is what you mean. Did you know, or do you know now that at that time Mr. Douglas was in charge as chief vendor? A.—At that time I didn't know.

Q.—You didn't know at that time? A.—No.

Q.—Well, in view of the fact that he had, in fact, at that time taken over Mr. Forster's duties, do you know to whom you spoke at that time? A.—I spoke to Mr. Forster.

Q.—Did you ask for Mr. Forster personally? A.—Particularly.

Q.—You are quite sure you didn't speak to Mr. Douglas? A.—Positively.

MR. MACKAY: You know Mr. Forster's voice? A.—Yes.

Q.—And it was he you spoke to? A.—Yes.

MR. MACDONALD: I would like to ask the witness a question.

Q.—Have you got the quantities of liquor that came in that car? A.—Yes—not the weight, I haven't got.

Q.—Give the number of packages. A.—The number of packages is 38.

MR. MACDONALD: How does that compare with yours?

MR. MACKAY: 25, plus 9, plus 4, equals 38. A.—25, plus 9, plus 4, equals 38.

Q.—That compares with your list? A.—Yes.

Q.—Were there 38 packages in that car when you checked it out? A.—Officially, I can't tell you; whenever the duty was paid we didn't attend to the car.

Q.—No check on the car? A.—Nothing, only excise duty.

MR. FORSTER: Mr. Fidler, do you remember me being in your office some little time afterwards, and we had quite an extended conversation over different things? A.—Yes, sir.

Q.—And you told me at that time that all the papers in connection with this transaction were in your office, or something to that effect? A.—Were just then?

Q.—Yes. A.—I don't remember.

Q.—That was at a time subsequent—well, Mr. Douglas was in charge. We discussed it from that point of view, that Mr. Douglas was in charge? A.—The fact that I signed a paper?

Q.—Yes, the fact that Mr. Douglas was my successor now, and that I couldn't do that, and I told you I couldn't do that and you told me at that time you had all the records.

MR. R. E. CAMPBELL: I would like to get that point of Mr. MacDonald's clear, but I understand that Mr. Fidler, or his men, did not check that car. A.—When it came to the railway?

Q.—Yes. A.—We did not check the car.

Q.—Is it not a duty to check the car? A.—When the duty is paid?

Q.—How do you make the proper amount? A.—We got our papers, and that is the amount that is covered.

MR. MACKAY: Only by paper? A.—We take the Excise Officer's paper.

Q.—They must agree.? A.—Yes, the Excise Officer down in Saskatoon, his book must agree with our book up here; the shipment and the amount that he transfers from Saskatoon must be exactly the same with what it appears in Edmonton, and the duty covered accordingly.

Q.—That was just the point I was arriving at. Your checks should agree with the shipment checks? How would you know but what there would be ten extra barrels?

MR. HOADLEY: With his books, he means.

MR. RAMSEY: It was checked out in Saskatoon by the Excise Officer.

MR. MACKAY: Mr. Fidler, this clears it. You check the figures that the Excise Officer forwards to you? A.—Yes, sir, he is responsible for sending so much and we collect for the amount he is responsible for.

MR. CAMPBELL: I am referring now, Mr. Chairman, to the actual quantity of goods in that car.

Q.—You receive your papers from the Excise Officer from the shipping——? A.—Yes, sir, from the Excise Officer there.

Q.—How do you know that that corresponds if you don't check? A.—He was paying the full amount of all that the Excise Officer from Saskatoon required to be paid before we were finished.

Q.—How do you know there wasn't more in that car than what was sent? A.—It had nothing to do with us then because we had and we could only enter on our books the amount that was sent from Saskatoon.

MR. HOADLEY: The point is that there might be more or less in the car than the bill of lading showed, as far as you are concerned; A.—Yes, sir.

MR. MACKAY: You take the amount the shipping officer sends you. If you were shipping it you would be responsible? A.—Yes.

MR. HOADLEY: The point is, in conducting this liquor business, the Excise does not check the quantity except at the point of shipment, and the point here, for instance in regard to this particular shipment, it might have all disappeared, and there might have been three times as much in the car between Saskatoon and here, as far as you know? A.—When duty is paid, yes, sir.

Q.—As far as you know? A.—Yes, sir.

MR. MACKAY: Just let us see —— A.—Not if it came in bond ——

Q.—When you are shipping out here what do you do? A.—We take it from the books as so much, and make our papers out, check up every barrel.

Q.—Do you know anything about the loading of the car? A.—Yes, sir, an officer would have to be there and see the car loaded.

Q.—What else? A.—And sealed.

Q.—He would have to see that what was put into that car corresponded with your documents? A.—Yes, sir.

Q.—That is at the point of shipment? A.—Yes, sir.

Q.—And the car would be sealed? A.—Yes, sir.

Q.—Yes, I thought so.

MR. EWING: You would not say there could not easily be less when the car arrived? You wouldn't be concerned about that? A.—If it came in bond, we would have to be but if duty were paid, we would not. This came in bond, and duty was paid, and it didn't bother us.

Q.—As a matter of fact, there were four barrels short? A.—Not when it came in; I wouldn't say there were four barrels short when it came in. This date is November 21st.

Q.—You say there were not four barrels short when it arrived in the Edmonton yards? A.—I couldn't tell you, sir.

Q.—That is what I thought in the first instance. You don't know whether it arrived short or not? A.—No.

Q.—You have no means of checking that up? A.—No.

MR. MACKAY: He means he doesn't say whether it was or not.

MR. EWING: There has been a suggestion made here that there might have been more liquor in that consignment? A.—In that car?

Q.—Yes. A.—I would say the suggestion was wrong; I don't know, but I would say so.

Q.—You would express that opinion? And the reason you give that opinion is because you would suppose that the Excise Officer at Saskatoon properly checked it up when he made the shipment? A.—He would have no other option; he would have to go by his books.

Q.—I know that. But you rely at this end upon what he did at the other end? A.—Collect all he asked for, yes, sir.

Q.—And you make no personal examination of the car when it arrives here? A.—No, sir, not when it is paid.

MR. KEMMIS: I should like to know, in your experience of receiving liquor, if you ever found a carload of liquor grow in transit from point of shipment to delivery? (No answer.)

MR. EWING: I would like to have Mr. Binns produce to-day the Auditor's report, and leave it in some place where it can be looked at.

(To Mr. Binns.)

Q.—You have your auditor's report? A.—I have only the one that is filed with the Chief Auditor; if you take care of that it will be all right. Leave it with Mr. Andison, with the Clerk of the House.

Adjourned until Monday, April 7th, at 10 o'clock a.m.

MONDAY, APRIL 7, 1919.

Public Accounts Committee resumes.

M. M. DOWNEY, called, and sworn, testified as follows:

MR. EWING: In the investigation which we held a short time ago, you stated that you reported the matter of Mr. Boudreau making application to you to get liquor on credit, to Mr. Forster? A.—Yes.

Q.—And you were not sure whether or not you reported it to Mr. Browning? A.—No; I may have talked it over.

MR. MACKAY: Try to give your recollection; never mind what you may. A.—I am not certain whether I reported it to Mr. Browning or not—no.

MR. EWING: Did you talk it over with Mr. Boyle? A.—Well, if I saw him I might have talked it over with him.

MR. MACKAY: We have called this witness several times. If he has a remembrance of it, let him tell what he remembers, not what he might have done.

MR. EWING: Did you interview Mr. Boyle about it at all? A.—Yes, I did.

Q.—When? A.—On the Saturday night.

Q.—That was Saturday night, the 9th of November? A.—Yes.

Q.—Now, I think you told us you went up with Mr. Forster that night to Mr. Forster's house? A.—No, that was Friday night.

Q.—You went back to Calgary on Saturday night? A.—Yes, on the midnight.

Q.—And where did you see Mr. Boyle? A.—I saw him in his office.

Q.—Did you go down to see him particularly on this matter? A.—Well, I went over to his office to see him, I suppose.

MR. MACKAY: I wish this witness would not suppose. If he remembers anything, we would like to know it. A.—I was telephoned, or wired to come up here.

MR. MACKAY: That was the week before? A.—Yes, and I went over and, I suppose —

Q.—You suppose again? A.—That is my impressions of the Edmonton situation.

MR. EWING: What do you mean by your impressions of the Edmonton situation? A.—Well, similar to the evidence I gave in the —

Q.—That is, you told Mr. Boyle?

MR. MACKAY: Don't lead him, please.

MR. EWING: You told Mr. Boyle? A.—Well, now, frankly, I do not remember very much of the conversation. It was not in a—I did not make any formal report.

Q.—I am not asking that. A.—It is pretty hard for me to say that I told him certain things, you see.

Q.—Well, I am asking now concerning, I am asking you concerning the matter which occurred in the vendor's store on the previous Friday—on the previous day. Did you discuss that with Mr. Boyle? A.—Yes, I did; I told him about it; I would not say I discussed it.

Q.—You told him about it? A.—Yes, I told him.

Q.—You told him the facts as they happened? A.—Yes.

Q.—What did Mr. Boyle say to you? A.—Well, I do not know. I do not think, frankly, I think he was thinking about some other matters and he did not pay much attention to it.

Q.—How long did the interview last? A.—Oh, it might have lasted probably 15 minutes to half an hour.

Q.—You started in to tell us that you were sent up here? You came up here in response to a telephone, or telegram, to do certain work in the vendor's office? A.—No.

Q.—Well, what was it? A.—I said that I got a telegram, or telephone, to come to Edmonton, and on my arrival here there was the matter of the change of vendors, and I was going to act in an advisory capacity in any way I could to Mr. Douglas and Mr. Forster in the transfer that was being made.

Q.—And before you went back on Saturday, the 9th, you reported to Mr. Boyle?

MR. MACKAY: He did not say report. A.—I likely talked it over with Mr. Boyle. I did not make a formal —

MR. EWING: You did talk it over?

A.—I talked over the situation.

THE CHAIRMAN: That question was asked you before in the investigation—that same question, you know? A.—Which one was that?

Q.—If you had talked it over with the Attorney-General? A.—No, I do not remember. Would you mind reading the question?

MR. MACKAY: I object to its being read now.

THE CHAIRMAN: I am not going to read his answer at all. A.—I think I said I may have talked it over with Mr. Browning, with Mr. Bain, with my solicitor, and with my wife. A

MR. MACKAY: I object to what he may have done. If he has no recollection, we want to know it.

MR. EWING: I am surprised at the attitude of my learned friend.

THE CHAIRMAN: Just tell us the facts. A.—I went to Mr. Boyle's office, and I told him the situation as existed in Edmonton as I saw it.

MR. EWING: What did you go there for?

THE CHAIRMAN: Let him finish his answer. A.—I felt it was my duty to do so; that is all.

MR. EWING: Your duty to do what? A.—To tell Mr. Boyle.

Q.—To tell Mr. Boyle what? A.—In connection with the Boudreau incident, and the general affairs, in the store in Edmonton.

Q.—You went up to tell him about general affairs, and the Boudreau incident? A.—Yes.

Q.—And you told him about the Boudreau incident? A.—I did.

Q.—And you cannot recollect what reply he made? A.—No, I do not.

Q.—Can you recollect whether any instructions were given to you as a result of your telling him about the Boudreau incident? A.—No, except the only thing that might have come from that would be the orders.

MR. MACKAY: "Might" have come? Please! A.—I did not know Mr. Boyle's mind at all.

MR. EWING: I am not asking what was in his mind. I am asking anything he said, if at all? A.—I do not remember what he said at all. I felt my duty was performed when I told him the incident.

Q.—And you cannot recollect anything that Mr. Boyle said in that interview? A.—No, I can't.

DR. STATE: You are quite sure you saw Mr. Boyle, are you? Everything else is so hazy I do not know whether you would be quite sure on that matter or not? A.—Yes, Doctor, I am.

MR. MACKAY: Will you tell me how it is you come back here to this Committee to give evidence after having given evidence before? How did you come to be brought here? A.—I do not know. I did not know anything about it until I arrived in Medicine Hat last Saturday night, and got a telegram from Mr. Boyle. I have no idea.

Q.—You have not, eh? A.—No.

Q.—Were you in Calgary last week? A.—I was in Calgary on Monday.

Q.—Any other day? A.—Part of Tuesday.

Q.—Any other day? Come on! A.—I was there Saturday night.

Q.—You were there Monday? Were you there all day Tuesday? A.—No.

Q.—What time did you leave Calgary on Tuesday? A.—Well, I was there all day Tuesday—yes.

Q.—What kind of a memory have you? Didn't you know a moment ago you were there all day Tuesday? Is your memory bad, eh? Is your memory real bad? A.—No.

Q.—That you cannot remember from last Tuesday? You were there Monday, and you were there Tuesday, and you were there Saturday night. Were you in Calgary any other part of last week? A.—No; I think that is all.

Q.—Well, you think? Are you sure, now—just about last week? A.—I was out of town Thursday, Friday and Saturday that I am sure of.

Q.—And you are not sure where you were Sunday last? A.—I am not sure; I may have been in—

Q.—Yes, you may have been in Halifax. Where were you? A.—I was in Calgary.

Q.—Now, we have had you say at first you were there on Saturday, and, perhaps, Monday, and now you say you were there on Tuesday. Is the rest of your evidence like that? Is all your evidence as uncertain and as unsatisfactory as that? (Not answered.)

Q.—You cannot say. You do not answer. Very well. Now, whom did you interview, or who interviewed you last week with reference to coming back and giving further evidence? A.—Nobody.

Q.—Sure? Didn't discuss it with anybody? A.—No, I do not think so.

Q.—You don't think so; don't you know? Last week, I am talking about? A.—I don't think I discussed it with anybody. I had no idea of coming here.

Q.—Did you discuss the question of your past evidence or the question of your future evidence with anybody in Calgary last week, that you remember of? A.—No.

Q.—That is your oath? A.—Yes.

Q.—And you did not know you were likely to come back until you got a telegram at Medicine Hat last Saturday night? A.—I got it in Calgary.

Q.—And what time did you get back? A.—Six o'clock.

Q.—Eh? A.—Six o'clock. It was telephoned to Mrs. Downey, 12 o'clock noon.

Q.—By whom? A.—Either one of the telegraph offices.

Q.—From whom? A.—From either one of the telegraph offices.

Q.—Who was the telegram from? A.—Mr. Boyle.

Q.—That is, that you were requested to come back to the Committee. I see. Can you tell me how it was that Mr. Weir would request you be brought back here to-day to give further evidence if you never discussed the question with anybody? A.—I do not know.

Q.—You do not know how that would reach Mr. James Weir, M.P.P.? A.—I do not.

Q.—Now, seeing that you are here, coming back to the 8th of November, how many orders of liquor did you see filled, or handled, for Mr. Boudreau, or the drug company? A.—I just saw the one.

Q.—Only one? A.—Yes.

Q.—You are sure of that? A.—Yes.

Q.—And there was only one filled, as you think, on that day that you know of? A.—Yes.

Q.—With which Mr. Boudreau had anything to do? A.—Yes.

Q.—There were not two filled on that date? A.—I don't know.

Q.—You said there was only one. Now, you say you do not know whether there were two. What kind of evidence are you giving? A.—I am giving you my recollection. I only know of one.

Q.—You do not know of any other that day? A.—No, I do not.

Q.—Were you near the counter where the public would come all that day? A.—I was around in the store.

Q.—I did not ask you that. Were you near the counter to which the public would come? A.—I was at different times—yes.

Q.—You knew Mr. Boudreau by sight, I think, or did you? A.—By having him pointed out to me one morning in the store.

Q.—When you first noticed him, whatever day it was, he was a stranger to you then? A.—Yes.

Q.—Did you know him by sight on the 8th? A.—I cannot say that I did. I may have known him when I walked over to him and I might not.

Q.—You tell us now that on the 8th you cannot say whether you knew Mr. Boudreau by sight? A.—No, I cannot say. I —

Q.—Well, we will take your answer. Can you tell us—you say you saw Mr. Boyle on Saturday night, the 9th? A.—Yes.

Q.—Do you know, or did you know, that Mr. Douglas, the new vendor, or Chief Vendor, made some enquiry with reference to this on Saturday morning, the 8th? Did you know that? A.—No.

Q.—Of Webster? A.—No.

Q.—Did you know whether he had had any instructions to do it? A.—No.

Q.—You did not know, I suppose? A.—No, I did not know.

Q.—That was the morning of Saturday, the 9th. I will read your former evidence on this incident now you are back here again. It is on page 13.

MR. EWING: Is this evidence extended?

THE CHAIRMAN: Yes, there is a copy.

MR. MACKAY: (Reading.) "But a matter of \$400 worth of liquor going out would be "rather an irregular proceeding under the Act? A.—I felt it was—yes."

And, then, you were asked (reading): "Did you have any discussion with the Attorney-General at all in connection with it? A.—I do not think so, except he might have been present "some of the times that Mr. Browning was there, you see. Mr. Browning was the main man I "discussed it with."

Now, how do you explain that answer? A.—I never meant to——

Q.—Wait till you get my question. How do you explain that answer in view of the evidence you have just sworn to this morning? A.—I may have misunderstood that question. I do not think that that word "Attorney-General" was in there at all. And I do not remember ever answering a question, to my recollection, Mr. MacKay, I never knowingly swore that I did not talk this matter over with Mr. Boyle.

Q.—Then are we to understand that in giving your evidence you may have sworn to things that you did not knowingly swear to, and, therefore, your evidence is misleading? A.—No; I said I talked ——

Q.—I will read the question and answer again? "Did you have any discussion with the "Attorney-General at all in connection with it? A.—I do not think so, except he might have been "present some of the times that Mr. Browning was there, you see. Mr. Browning was the main "man I discussed it with." A.—I do not think I used the words. I do not think so.

Q.—Will you swear this evidence was taken down wrongly? A.—Oh, no.

Q.—Will you admit it is right, then? A.—Well, I think that was misunderstood, or something.

Q.—You see. Do you say now—do you say now you discussed it with Mr. Browning? A.—I did on Saturday night.

Q.—With both Mr. Browning and the Attorney-General? A.—Hadn't that question reference ——

Q.—I am asking if you did not discuss this Boudreau incident, the question of credit to Boudreau, with Mr. Browning on Saturday, the 9th, of November? A.—I do not think so.

Q.—Now, listen to this. I will read it again? A.—I know what it says.

Q.—Are you going back on your answer? Did you discuss it with Mr. Browning? A.—I do not know.

Q.—Did you discuss it with Mr. Browning? A.—I do not know whether I did or not.

Q.—(Reading) "Did you have any discussion with the Attorney-General at all in connection

"with it? I do not think so, except he might have been present some of the times that Mr. Browning was there, you see." A.—Now, may I ask —

Q.—(Reading) "Mr. Browning was the main man I discussed it with." That is your former evidence, and you now say you do not know whether you discussed it with Mr. Browning or not. Will you explain your contradictory answers to the Committee? A.—Has that reference previous to giving evidence here?

Q.—I am reading from the evidence you gave. A.—I know that.

Q.—I am asking you now. I want to be fair. That evidence is being contradicted to-day in two ways. Your former evidence indicates that you were discussing with Mr. Browning and there was a possibility of the Attorney-General hearing it. Now, then, you tell me to-day you did not discuss it at all with Mr. Browning, and you did with the Attorney-General? A.—Here is the thing. Before I gave my evidence I talked the thing over, as I told you in my evidence, with Mr. Browning. You will find that in the evidence.

Q.—Is that what you mean? A.—Now, wait. Informally with Mr. Douglas we may have talked over —

Q.—Please, witness, if you do not remember, say so. A.—Well, we will let it go with that.

Q.—Let me help you out, now. Do you mean in this answer: "Did you have any discussion with the Attorney-General at all in connection with it —" A.—I never meant to convey.

Q.—Will you let me read this? I think I see what you are coming to. The question was "Did you have any discussion with the Attorney-General at all in connection with it?" A.—I "do not think so, except he might have been present some of the times that Mr. Browning was there, you see." Do you mean he might have been present when you were talking with Mr. Browning just the morning before you gave your evidence? A.—I think that is what I had reference to. That is the only thing I had in my mind in that regard.

Q.—Then before you gave evidence, you formerly said that you talked the matter over with Mr. Browning, just before giving evidence? A.—Yes.

Q.—And he did not suggest any answer you should make, and what you should tell? A.—Yes.

Q.—And is that what you mean, that the Attorney-General may have been there the morning just before you gave evidence, and may have heard what Mr. Browning said to you, or you said to Mr. Browning? Is that what you meant? A.—I think it is. He was in the office a few minutes. But I was not discussing the matter with Mr. Boyle at all. I was discussing it with Mr. Browning.

MR. EWING: I think this thing should be put fairly to this witness. You have not made it clear to the witness when the discussion with Mr. Browning actually took place as shown by the evidence.

MR. MACKAY: He has answered it was the morning before he gave the evidence.

MR. EWING: That is what he said here. And when he was asked: "Did you have any discussion with the Attorney-General at all in connection with it?" it was immediately after the question: "Yes, I chatted with Mr. Browning, perhaps, on the subject this morning," and then, "Did you have any discussion with the Attorney-General at all in connection with it?"

MR. PEARSON: That is altogether different. I think I have a right to make an explanation. The witness has been abused, terribly abused, and the question that was asked him was absolutely wrong. He was hammered because he was asked if this conversation had taken place at some previous time, and he was told he was not telling the truth and all that sort of thing. If the evidence had been quoted consecutively, it would have come out it was in the morning before he came here, and I only think it is fair that this thing should be conducted in a right manner.

MR. MACKAY: I did not —

MR. PEARSON: I have known Mr. Downey for quite a while in Calgary, and all I have got to say is I think he has been treated unfairly, and I demand fair play.

MR. MACKAY: I do not propose to take that. The man is giving his evidence. I have not read the evidence through, and the moment he told me that he had seen Mr. Browning that morning I was just developing that, and the questions would show if this was what he meant, if when he was discussing it with Mr. Browning the morning before he came in to give evidence that Mr. Boyle may have heard it, and I think that is what he meant to say. A.—Yes.

Q.—That is what we would have got to after a while.

MR. EWING: After all the doubt that has been thrown on this witness' evidence, and by reason of the particular questions set out on page 13 of the typewritten evidence, that he was wrong in saying that he did not talk to Mr. Boyle, it now turns out that this question had reference to what took place on the day before he came to give evidence here.

MR. MACKAY: It surely does when he develops it, and I was developing it when you people got on—I did not know, and you did not know.

MR. EWING: It does not need developing.

MR. MACKAY: It is quite right, and I was going to develop it.

MR. EWING: Then, we will go back to where we were.

MR. MACKAY: Oh, yes, and before I am through, it will be developed.

Q.—You mean the morning before you gave evidence here you went and saw Mr. Browning, and had a talk with him? A.—Yes.

Q.—And you mean to say that Mr. Boyle may, or may not, have heard things it had reference to that conversation before you gave evidence? A.—Yes.

Q.—And it had not any bearing on the Saturday night before you went to Calgary? A.—I think the point you were driving at was, there was a suggestion that Mr. Boyle had told me or suggested that I give certain answers. And I told them frankly that I discussed it with Mr. Browning, but I never discussed it for a moment with Mr. Boyle, except for a moment he might have been in when I was talking to Mr. Browning.

Q.—But you mean with reference to the morning before you gave evidence here? A.—Yes.

Q.—And you did not mean it with reference to the Saturday night? A.—No.

Q.—Then let us get the conversation you had with Mr. Browning on the morning you gave evidence. Did you discuss it with Mr. Browning before that that you remember? A.—Before that morning?

Q.—Yes? Any time before is before. A.—Except it might have been.

Q.—Do not say what might have been? A.—Except it was—we will put it that way—when I was up here in November, it could be—

Q.—You say it could be, and except it was. Have you any remembrance of doing it? A.—No, nothing that I can swear.

Q.—Then we come to your conversation with Mr. Boyle on the evening of the 9th, before you went to Calgary? A.—Yes.

Q.—Did you make any formal report? A.—No.

Q.—Did you make any written report on this trip in any way? A.—I did not.

Q.—And I think I asked you before, you did not know of any liquor transaction that Mr. Boudreau was interested in or had ordered on the 8th of November, but one? A.—That is all I know of, yes.

Q.—That is all you can say? A.—Yes.

MR. EWING: You say you did not know Mr. Boudreau by sight on the 8th of November. Did you know him at the time he made application to you to get the liquor without paying for it? A.—Well, I believe it was on the 8th of November, and yet it might have been on the 7th.

Q.—I am not talking about the date. A.—That I saw him in the back, and he was pointed out to me. I would be in company with Mr. Douglas and Mr. Forster, and he was pointed out to me as Mr. Boudreau.

Q.—You know him now by sight; this is him here (indicating Mr. Boudreau). Is that the gentleman? Just take a look at Mr. Boudreau now! Is that the gentleman who made the application to you on the 8th to get liquor out on credit? A.—Yes.

J. H. BINNS, called, and sworn, testified as follows:

MR. EWING: You are in the audit office in the City of Edmonton, are you not? A.—Yes, sir.

Q.—Under Mr. Burley? A.—Yes.

Q.—And you made an audit of the vendor's accounts in the store in Edmonton? A.—Yes.

Q.—The report which I produce here is your official report of that audit, is it not? A.—Yes.

Q.—When you went in there, as you have already told us, you took possession of all the cheques, didn't you? A.—That was given to me—yes.

Q.—Now, in your report, I draw your attention to the paragraph on the second page in which you speak of certain shortages. You say the over deposit was caused by the same thing with the exception of \$80 deposited in August, which was a special deposit to cover the June shortage of \$50, the July shortage of \$20, and the September shortage of \$10.00. Those were the shortages you discovered in your accounts? A.—Yes. They were arrived at by errors in addition.

Q.—In whose addition? A.—In Mr. Webster's addition of his daily return sheets to Mr. Forster.

Q.—And you detected those errors in your audit, and you went to Mr. Webster about them? A.—Well, no. That special deposit came in by Mr. Forster drawing his attention to that.

Q.—Mr. Forster drew his attention to that? A.—Yes.

Q.—Was the \$80 deposited before, or after, you discovered the shortages? A.—Oh, before, I simply O.K'd the shortages.

Q.—Where did the \$80 come from that was deposited? A.—I could not say.

Q.—Would it come under the sales of liquors? A.—It is impossible for me to say that.

Q.—Did the books disclose the place it came from? A.—He had no books.

Q.—I see. Then, did his records disclose any place it could have come from? A.—Nothing more than his deposit slips was marked "Special Deposit."

Q.—You never spoke to Mr. Webster about it, did you? A.—I never asked him.

Q.—Was this taken up with Mr. Webster by anybody? A.—By Mr. Forster—Mr. Forster understood—yes.

Q.—You were not there, though? A.—No.

Q.—But the \$80; do you know that the \$80 was deposited? A.—I could not tell you from memory. But I think it was in here, yes, on August 29th.

Q.—Well, it could not have been on August 29th, because one shortage was in September?

MR. MACKAY: What was on August 29th?

MR. EWING: He says a deposit of \$80. A.—Well, it would show by the deposit slip. That might be a typographical error. That is the number of the sheet—that would not show it

(referring to documents). Did I say September? It is August. That is where the mistake was. It is typographically wrong.

MR. MACKAY: What are you saying, again? A.—That should be August shortage.

MR. EWING: What should be August shortage? A.—September.

Q.—Page 2, in the last paragraph, the last word should be altered to August, should it?

A.—Yes, because that \$80 was deposited on August 29th, according to the sheet.

Q.—Did you make any enquiries about that special deposit? A.—What is that?

Q.—When you discovered a special deposit to cover up errors in addition of previous deposits — A.—Well, I might have mentioned it to Mr. Webster, and he said he deposited that amount to cover it. That is what I heard.

Q.—You did take it up with Mr. Webster? A.—Oh, yes—sure.

Q.—What do you mean by saying he deposited \$80 to cover it? What did you understand from what he said in respect to that? What did he say about it? A.—That is all that was passed. I said that deposit of \$80 covered those shortages.

Q.—But as an auditor did that satisfy you? A.—I was interested in seeing that the shortages were paid. That is all I was interested in.

Q.—Is that all you are interested in in conducting an audit, as to whether or not shortages which may or may not be improper are covered up? A.—At the time I took it up, there I was not prepared to take it up with him till I struck the final balance, and, therefore, at the time I asked him about it, and he said this was a deposit to cover these amounts. I let it go at that, and my final report shows these actual shortages.

Q.—You would know, when these shortages occur through error in addition the money should be somewhere, should it not? A.—Yes.

Q.—Where would it be? A.—It should be in his till.

Q.—And it should have remained in his till and be carried forward in his till? A.—If he had kept a cash book, yes.

Q.—Whether he had a cash book or not, the money should be there? A.—Yes.

Q.—And do you know whether the \$80 was taken from the till or not to make this deposit? A.—No, I have no way of saying it was taken from the till. I only have Mr. Webster's word it was deposited by him under special deposit; at the final balance, it shows \$183 over deposit. So it might be a part of that—I don't know.

Q.—You have no — A.—No, there is no way of finding it out.

Q.—Except you have found it out from enquiry of Mr. Webster? A.—I enquired to that extent.

Q.—You just discovered he had covered up the shortage by a special deposit? A.—Yes.

Q.—And you do not know where the money came from? A.—Yes.

Q.—Now, then, there were over deposits amounting to how much? A.—These over deposits should amount to \$183 in one instance—\$381.72 under there.

Q.—Now, then, how would these over deposits occur? Were they mistakes in addition? A.—The principal one occurred by virtue of my taking and depositing the total amount of cash on the evening of the 6th without having the return sheets made up.

Q.—Were there any over deposits prior to that date? A.—Yes, just —

Q.—Just tell me how many over deposits there were prior to the deposit which you made on the 6th? A.—Yes; there was \$1.00, December, 1917; 2 cents, April, 1918; \$1.00, May, 1918; 2 cents in June. And then there was the \$80.

MR. MACKAY: Are you mixing the \$80 up with this?

MR. EWING: Prior to the deposit which you made, the over deposits only amounted to about \$2.00? A.—\$2.04.

Q.—But there was \$80 short in the deposits? A.—Yes.

Q.—Your deposit—what have you to say as an auditor as to that method of running the cash in a vendor's store? A.—Well, I would not run any cash without a cash book.

Q.—How would you describe the system? A.—Well, you will have to take conditions. In the first instance, when that system was installed, his daily reports and the cash having to balance those daily return sheets to the vendor. Under small business conditions that could very well accomplish the purpose, but when it started to increase a cash book should have been installed, and a trial balance properly taken off.

Q.—And you go on to recommend, on page 3—"I would recommend that this amount of "\$232.58 be authorized to be paid back to Mr. Webster in order to let him straighten out the "apparent refunds as due to customers per statement." Do you know if that was done? A.—No, it has not been done as far as I know of, to date.

Q.—What are these refunds to customers that you speak of? A.—\$553.15 apparently due to customers.

Q.—And the only thing you had to cover that was an over-amount deposit by you on the 6th of November, amounting to — A.—Yes, less \$50. It would be \$180 something. There is a mistake of \$50. There is 50 cents there, should have been \$50.

Q.—Where is that \$50? A.—It is still in the hands of the Chief Vendor.

Q.—Have the refunds been paid? A.—That will be shown in the next audit. I do not know.

Q.—But there was \$553 due by way of refunds to outside customers? A.—Apparently, yes.

Q.—As you found it? A.—Yes.

Q.—And there was \$180 which could not be accounted for? A.—An over-deposit, yes.

Q.—Yes, do not know where it came from? A.—I could explain how it would come. There is no doubt I took cash, that orders would be filled on the 7th.

Q.—It might be that, do you think? A.—Yes.

MR. MACKAY: What date are you dealing with? A.—The 6th. This is computed from the requisitions for liquor, possibly from doctors, dentists, druggists, or otherwise on which certain memos existed, as I explained.

MR. EWING: By the memo. you mean the formal applications? A.—Exactly. This statement shows a cash statement on the part of Mr. Webster of \$281, until such times as evidence is produced to the contrary. That would be increased by \$50 of course, and as Mr. Webster kept no books whatever to assist him in his accounting, I was forced to accept pencil and pen and ink memos on the requisition forms, against which I charged the cash reported on his daily return sheets to the inspector. For instance, a customer sends in \$100. The only accounting of this amount is a memo on the ordinary requisition to the effect that \$100 had been received with this order. Owing to not having all the goods asked for, we will say that \$60 worth was filled which would leave a balance refund due of \$40. In showing this to Mr. Webster, he stated that these orders had been filled, with two exceptions, especially in the Love and Higgs' cases, which were large amounts. However, there was no evidence before me to verify his contention. Therefore, I am forced to charge these amounts up against him in the meantime.

Q.—And do you know whether Mr. Webster has paid them or not? A.—Well, I asked him a couple of weeks about them, and he said he had got them pretty well balanced up.

Q.—How does he balance them up? A.—I can't say.

Q.—Do you mean from his own funds? A.—Oh, well, I could not say that.

Q.—Then, the net result of it is, there was \$80 of it deposited to cover errors in addition sometime the end of August? A.—Yes.

Q.—And there is about \$180 which would — A.—Which would be due back to him from the Chief Vendor to Webster.

Q.—Well, now, turning to page 4 of your audit, I find that a case of liquor went out to Mr. Archibald? A.—Yes.

Q.—For which apparently he did not pay? A.—Yes.

Q.—What was done about that? Do you know? A.—Well, this will explain it. In regard to the amount of A. Archibald, \$33.00, this shortage was mentioned to me by Mr. Archibald himself. He said that when the cartage company delivered him an order of goods, around the 18th of October, 1918, he found that a case of Sandy Mac ten-year-old Scotch whiskey had been sent over the amount he ordered, and paid for. He took the matter up with Mr. Webster at the time, but up till a few days ago, owing to Mr. Webster being over-busy, he could not settle for the same. However, I was present when he did pay for this, and the same has been duly recorded. The point I want to bring out as a result of this transaction—the apparent gross carelessness on the part of Mr. Webster's shippers. I understand now, however, that the shipper keeps a book of records the same as Mr. Bain's man in Calgary, which will possibly avoid the trouble in the future.

Q.—You mean the shrinkage might be accounted for by cases going out? A.—It has a bearing on it, certainly.

Q.—What do you say as to the shrinkage of 1.662 which you found? A.—Well, after arriving at that I made a computation of figures of the stock in order to verify, or, at least, to find out whether a great amount of liquor was going out or whether the cash would be short as a consequence. So I took Mr. Forster's accounting of all the liquor that he had charged to Mr. Webster, and reduced it to gallons, quarts and pints.

Q.—To quantities? A.—Yes, to quantities. I based it on quantities altogether. Then, against that, I gave Mr. Webster credit in quantities of all liquors as sold by him. The difference should be on his shelf. Then, in taking his stock, I put that into quantities, and by a subtraction from the balance, I found he was either short, or over, in particular brands; more short than he was over, and, consequently, the difference between that amounting to \$1,300, divided into the business which he had done in his regime would amount to 1.632.

Q.—When you checked up the liquor which had been delivered by Mr. Forster to him with the liquor as shown on his records, it would show that? A.—Yes. And you asked my opinion what I thought of that. I took the matter up personally with friends of mine to get their opinion—former liquor men. Do you want me to give that?

Q.—Well, apparently you got other people's opinions? A.—Well, I was going to say, when I came across this 1.66 and two-thirds, I did not know whether that was a reasonable percentage to allow, and I made it my business to enquire of former liquor men, and I found out from them it was a reasonable estimation. One man told me one per cent.; another man, two per cent., and another man said three per cent. was a reasonable amount to allow for wastages and breakages.

Q.—You mean they would lose liquor by breaking the containers? A.—Undoubtedly.

Q.—And how would the other shortage be made up? A.—I personally saw one particular accident. Nobody was to blame, but in filling out a gallon of Sandy Mac Scotch whiskey, I saw the measure upset. That is \$15 shot right there.

Q.—Flowed over the floor, eh? Do you think \$1,300 worth of liquor would flow over the floor? A.—Well, there is evaporation. Evaporation in figuring up the alcohol, in figuring up the shortage of alcohol, I found that there was six per cent. of that.

Q.—Evaporated? A.—Well, for instance, a barrel of alcohol is $14\frac{1}{2}$ gallons. Six per cent would be the depreciation on that barrel during the time it was in there, and in filling it and everything else.

Q.—This is the liquor that was handed out by Mr. Forster to Mr. Webster for his daily sales from day to day? A.—Yes.

Q.—And between the time Mr. Forster handed it out and the time Mr. Webster sold it, there would not be any alarming evaporation, I take it? A.—Yes, there would. Mr. Forster charged Mr. Webster with the actual amount of alcohol that was contained—it was not handed out in sealed containers, and if it was said to contain $14\frac{1}{2}$, and measured out to less, that would be Mr. Webster would stand the —

Q.—But this loss only occurred with regard to alcohol? A.—Yes. In connection with the depreciation and shrinkage of the stock there would be this difference.

Q.—What is the 910 for? A.—That is accounted for in this way, that in the accounting of liquor, in the recording of it, to the Chief Vendor, he might have called the same value—the value of the goods would remain the same—but the clerk making up might have said ten-year-old Sandy Mac instead of twenty-year-old, and when I arrived at it, and found he was supposed to have 25 bottles of Sandy Mac, and he did not have it, and he would be short, and I found he would have the other, and that was the difference between the two—it was a difference in the calling. If my figuring showed he should not have any on his shelf, and he has 25 bottles, I would give him credit for it.

Q.—And the exact amount of the shortage was \$1,364.60? A.—Yes. I did not keep a memo. of that.

Q.—In this case, part of this shrinkage was accounted for by a case of \$33 going out to Mr. Archibald for which he was not charged? A.—Yes.

Q.—Is that the only case you came on in which this liquor went out? A.—That was the only incident I came on—yes.

Q.—I note that in conclusion, on page 6, you compare the condition of the Vendor's office at Calgary with the Vendor's office at Edmonton? A.—Yes.

Q.—And your general conclusion is that the office at Calgary was better kept. That is true, is it not? A.—Yes.

Q.—And these discrepancies that you found in Edmonton, or similar discrepancies, you did not find in Calgary? A.—Yes, I did.

Q.—What was the shrinkage in Calgary? A.—I did not test the Calgary shrinkage.

Q.—How did you come to test the Edmonton shrinkage? A.—Well, in Calgary, I had a thorough check on pretty nearly everything as it came, everything as it was ordered.

Q.—Was there no shrinkage in Calgary? A.—Oh, yes.

Q.—What shrinkage was there in the period covered by your auditing? A.—No, I could not say that. But you asked me as to similar accounting. There is a deposit there by Mr. Bain —

Q.—You did not test the shrinkages in Calgary at all? A.—No. As a matter of fact, this computing of shrinkages is just an idea of my own to prove my figures owing to the fact that there were no books here.

Q.—You thought it advisable to test the shrinkages in Edmonton? A.—Yes, and I made up my mind that if the Edmonton shrinkage showed satisfactorily that the Calgary shrinkage would be within the mark.

Q.—And you thought they did show satisfactorily? A.—Yes, I did from advice I got.

Q.—Who did you get it from? A.—Well, I got it from two or three different people. I do not care to tell; I do not want to bring them into it.

MR. MACKAY: Mr. Forster told us that the system he inaugurated in the Vendor's store, part of his opinion was that it was quite satisfactory up to the rush time, up to when the rush came, I think he said. Perhaps he mentioned earlier than the 'flu period. You said something to Mr. Ewing. I did not quite catch it. What was it? The system was all right until the business got too heavy, is that it? A.—Yes, up to a certain point it would have been, I think. What I meant to say was this, that the system would have been all right up to that point, so far as Mr. Forster was concerned; he could not let the business get very far from him until such a point that it got where it required different methods. But I positively say a cash book should have been installed from the beginning.

Q.—You differ with Mr. Forster there? A.—Yes.

Q.—But is this right, the daily return being made daily, as Forster put it in, would not that give a check on the Vendor—a very close check? A.—Yes.

Q.—It would give an accurate check? A.—Yes.

Q.—But in addition to that you think that no man should handle cash without a cash book? A.—Yes.

Q.—Take the 'flu period. What difference would it make in the 'flu period when things got very busy and he was not able to or did not make daily returns? Then there would not be as close a check? A.—No.

Q.—Do you know the system the present Attorney General installed in the Vendor's office? A.—Yes, in a general way.

Q.—When is your report? A.—The 6th November.

Q.—Was the system in vogue the same throughout your whole audit—that is the system Mr. Forster installed at the opening of the Vendor's store still continued to your audit? A.—Yes.

- Q.—Do you know if that has been changed by the present Attorney General? A.—Yes.
- Q.—In what way is it changed? A.—The requisitions are now used as the original entry, from which the accountant gives you a bill of goods. They make three copies.
- Q.—Who? A.—The vendor makes three copies of all that come in the value of the orders, one of which is handed to the customer, one of which is sent to the Chief Vendor and one is held in the book.
- Q.—Whose book? A.—Mr. Webster's book. One is not detached.
- Q.—The vendor has a book eh? A.—In triplicate.
- Q.—And what is made out? A.—The invoice of the bill of goods.
- Q.—One remains in the vendor's book? A.—Yes.
- Q.—Another is given to what? A.—Is sent with his daily return sheet to the Chief Vendor and the other goes to the purchaser.
- Q.—What else? What other changes have been made? A.—He keeps a cash book.
- Q.—And what, in your opinion as an auditor, do you say with reference to the system of bookkeeping and accounting and so on that the present Attorney-General installed? A.—I think it will cover the work all right. I think it will meet the demands.
- Q.—Now, dealing with Mr. Webster's end of it, if you can make it any clearer. There was an \$80 shortage, when do you say? A.—June, July and August.
- Q.—And you did not deal with that as a deposit at all. Mr. Forster dealt with that? A.—Yes.
- Q.—And then coming to November 6th. When you went in you deposited all the cash you found? A.—Yes.
- Q.—Cheques and everything else? A.—Yes.
- Q.—Some of that might be in payment of goods not then filled and delivered? A.—Oh, yes. It is quite possible, yes, sir.
- Q.—Could you tell by that audit without following up to the next audit exactly how Mr. Webster's books stand? A.—No, sir, I could not.
- Q.—But in allowing for what the next audit would show, or, rather, in allowing for what moneys may have been in there for liquors not filled and delivered, how did it stand? A.—Apparently a shortage of \$331.32.
- Q.—But the next audit would show exactly how it stood? A.—Yes, it should.
- Q.—Your audit, then, does not pretend to show that Mr. Webster, on that morning, was short that amount, or any amount? A.—No; that is why I —
- Q.—Answer my question; I am not asking for reasons. A.—No, it does not.
- Q.—You were speaking of a percentage of evaporation or wastage, and so on. What is it? A.—1.66 and two-thirds per cent.
- Q.—Covering what period of time? A.—My memory would be from July 16 to date.
- Q.—You mean from July 16th to November 6th? A.—July, 1916, to November 6th, 1918.
- Q.—So the wastage, whether from spilling or breakages, or evaporation, or whatever cause is only 1.66 for the whole period? A.—Yes, that is it.
- Q.—You took the whole period? A.—Yes.
- Q.—You covered the whole period with it? A.—Yes.
- Q.—And you say it is considered—the men you consulted with reference to what —
- MR. EWING: Well he does not want to give their names.
- MR. MACKAY: What figures did they give? A.—All the way from one per cent. to three per cent.
- Q.—It was suggested that Mr. Forster would hand out liquors daily, and, therefore, as to evaporation and everything of that sort, Webster should not get any credit. What do you say with reference to alcohol? A.—In my figuring, I remember alcohol went around six per cent. in itself. He should get credit for that because he is handling it, he is charged with the full amount stated on the barrel, whether it is there or not.
- Q.—And in checking up the liquor that Webster had you occasionally found what was an apparent overage of liquor, did you? A.—Yes.
- Q.—What were you going on to get that overage, now? Now, be fair to Webster. What were you going on, books or what? A.—No, stock-taking alone.
- Q.—But what were you going on in stock-taking? A.—In the liquors that was charged by Forster to him against which I credited back his sales, and the difference between that should be on his shelf.
- Q.—You charged him up with what the lists showed Forster had delivered him as vendor? A.—Yes.
- Q.—You credited him up with everything that he sold? A.—Yes.
- Q.—The difference should be on the Vendor's shelf? A.—Yes.
- Q.—And you found in doing that that in certain lines he had more than he should have? A.—Yes.
- Q.—Showing there was a mistake probably, somewhere in the checking? A.—Most probably in his reporting the quality.
- Q.—Quality or quantity? A.—No, the quality. Mr. Forster's books are divided under brandy, ten-year-old Sandy Mac, twenty-year-old Sandy Mac, and so on, and Mr. Webster in reporting there, while the numbers would be right, yet he might accidentally put down ten-year-old instead of twenty-year-old, and, consequently, in Mr. Forster entering that he would enter it under

the ten-year-old. That is the only way I could account for it. Of course, I have seen it; I noticed in one instance where that mistake did happen, and I came to that conclusion that is the only way it could be accounted for.

Q.—Was it in the whole period you are speaking of you found an over-deposit of \$2.40?

A.—No, just covering my audit from the 1st December, 1917, to November 6th, 1918.

Committee adjourns till Thursday, April 10th, 1919, at 10 a.m.

THURSDAY, APRIL 10, 1919.

Committee resumes at 10 a.m.

R. B. DOUGLAS, recalled, testified as follows:

MR. MACKAY: You are the present Chief Vendor? A.—Yes, sir.

Q.—Since you became Vendor did you have any analyses made of liquor from the Vendor's shop? A.—Yes, sir.

Q.—And in the general warerooms? A.—Yes, sir.

Q.—Have you a list of that? A.—The last list I had made—I had it done frequently.

Q.—Where was the liquor that you had analyzed? A.—Part of it in the wholesale department, and part of it in the retail department, I guess.

Q.—About what quantity? A.—In this particular lot, about 31 gallons.

Q.—Have you the analysis? A.—Yes.

Q.—By whom? A.—By J. A. Kelso (produced).

Q.—This is dated April 8th? A.—Yes.

Q.—What was the liquor that was examined? Was it liquor that was on hand that you took over from Mr. Forster? A.—Yes, charged up to our stock.

Q.—It is liquor that was taken over from Mr. Forster when you took it over? A.—Yes, sir.

Q.—What quantity does it cover? A.—31 gallons.

Q.—Where was the liquor that was in the Vendor's part? Where was it contained? What was it in? A.—In stone jars, half gallons and gallons, sealed by, I suppose, Mr. Forster.

Q.—Is that the ordinary stone jar that the liquor is kept in for sale by the Vendor? A.—It was his practice, I believe, to turn out a good deal of liquor in that way, and hand it out to local vendors with the price on it since I have been there.

Q.—I am dealing with how you found things? A.—Yes, exactly, in stone jars.

Q.—And I was asking if these stone jars were receivers—were they the ordinary receivers? A.—Yes.

Q.—And how many gallons of that was in the Vendor's part when you took charge of this?

A.—This has been in a stationary condition—16½ gallons in the wholesale part, and 14 gallons in the open store.

Q.—This is the certificate of Mr. Kelso. I will read it?

“The University of Alberta,
“Edmonton South,
“April 8th, 1919.

“R. B. Douglas, Esq.,
“Chief Liquor Vendor,
“Government Buildings, Edmonton.

“Dear Sir,—

“I beg to submit you the following analyses on samples of liquor submitted by you:

“Total. “Wholesale.

“ 4 gals. No. 1.—Proof spirits, 75.88 per cent.

“Appears to be genuine whisky, but contains a heavy sediment.

“Unfit for sale in such condition.

“ 1 gal. No. 2.—Proof spirits, 75.32 per cent.

1 gal.

“Same as No. 1.

“ 2 gals. No. 3.—Proof spirits, 55.03 per cent.

“Very dilute, low-grade whisky, containing a very heavy sediment. Proof strength shows dilution from standard

“with one-third water. Unfit for sale.

2 gals.

“ 6 gals. No. 4.—Proof spirits, 52.00 per cent.

5 gals.

“Is a mixture of alcohol, brandy and a very dark colouring matter. The strength is one-third lower than the minimum

“limit for whisky. Unfit for sale.

“ 2 gals. No. 5.—Proof spirits, 43.94 per cent.

“Mixture of alcohol, water and sugar. Slightly over one-half whisky strength.

“ ½ gal. No. 6.—Proof spirits, 84.49 per cent.

½ gal.

“Very dirty liquor, containing heavy sediment. Alcoholic strength O.K., but liquor not high-grade and unfit for sale.

“ 14½ gals. No. 7.—Proof spirits, 94.47 per cent.

8 gals.

“Mixture of brandy and ‘home-made’ squirrel whisky. Unfit for sale.

" 1 gal. No. 8.—Proof spirits, 35.46 per cent. 16½ gals.
 " Less than one-half standard strength, and very dirty.
 " Whiskey diluted with half water.

"31 gals.

"I would state that standard whiskey and brandy carried from 75 to 96 per cent. proof spirits, the Department of Inland Revenue, Ottawa, requiring not less than 75 per cent.

"The appearance of all these samples is enough to condemn same as unfit for sale. Numbers 3, 4, 5 and 8 are heavily adulterated with water.

"Yours truly, James A. Kelso,
 "Provincial Analyst."

MR. EWING: Is that from the wholesale or the Vendor's place?

MR. MACKAY: Which is No. 1 from? From the wholesale or the Vendor's? A.—On the right-hand side here (indicating), it would be wholesale. No. 1 is all in the local Vendor's, and No. 2 is in the wholesale.

Q.—I see. This is the wholesale part, and this is the retail (indicating)? A.—Yes.

Q.—Take parcel No. 2. The quantity is one gallon. A.—That is all in the wholesale.

Q.—No. 4? A.—One gallon in the retail and 5 in the wholesale.

Q.—No. 5? A.—Two gallons all in the retail.

Q.—And the next? A.—Half gallon, wholesale.

Q.—And the next? A.—8 gallons wholesale, and 6½ retail.

Q.—All this liquor was in stock, part in the wholesale and part in the Vendor's when you took it over? A.—Yes.

Q.—Some question came up as to shrinkage, what they call shrinkage during the course of time as to liquors. What do you know about that? What is a fair percentage for shrinkage? A.—As far as I can gather from 3 to 4 per cent. Some houses average as high as 6 per cent. when they allow for shrinkage, absorption in the wood and evaporation in the handling of it, or it seems to go somewhere; no one seems to know where. It is not in the barrel when it comes.

Q.—Three to four per cent? A.—That is the average that is used and up as high as 6 per cent. by some firms.

Q.—In other words, it would work out this way—suppose \$100,000 worth of liquor were purchased by the Vendor, when you come to sell and account for it all you would allow that much less that you would not have to account for. It would not be there? A.—You would not have it to account for. It would not be there.

Q.—Three or four per cent. would not be there to sell? A.—No.

Q.—And if it were three or four per cent., the Vendor would not be able to account for what was gone? A.—Oh, no, absolutely not.

Q.—You told us before that—as a result of it—you enquired of the Vendor, Mr. Webster, as to whether Mr. Boudreau, or the drug store, or whatever it was had got any liquor out without paying for it. A.—Yes.

Q.—And you told us before that Webster said he had not? A.—Yes.

Q.—In addition to that incident, did you have any instructions from your superiors, specific or general, and, if so, what? A.—I had very definite instructions from the Attorney-General Mr. Boyle.

Q.—About what time? A.—Oh, within the first two weeks, I should judge, two or three weeks, on different occasions.

Q.—And you took charge when? A.—7th November.

Q.—You say on two or three different occasions? A.—Yes, in conversations.

Q.—Can you give us the purport of them? A.—To the effect that no partiality should be shown to any druggist regardless of whether he was a member of parliament or not.

Q.—Was there anything more specific said? A.—Well, he repeated that once or twice, stating that the policy of the Government was to treat all druggists alike, and not show any favouritism to anyone.

Q.—And was there anything said to how you were to carry that out, or did he suggest how you carry it out? A.—No.

Q.—You are Chief Vendor? A.—I immediately took the matter up with Mr. Webster, and we had one or two conversations over the matter, and as far as I can gather, there has been no partiality shown.

MR. EWING: I notice the report of Mr. James A. Kelso, Provincial Analyst, is dated the 8th April. When did you give him this liquor? A.—About two days prior to that.

Q.—That would be about the 6th, or a few days prior to that date. How did you come to have Mr. Kelso make the analysis? A.—Well, Mr. Ewing, this liquor has been lying around, and if you have ever been in that building, you will know we are very short of room.

Q.—I never have? A.—And I had spoken to Mr. Webster once or twice about it, and Mr. Webster refused to sell it, claiming he knew it was not good enough liquor.

MR. MACKAY: Why? A.—Because he claimed it was not good enough liquor. Some he had sold, and it had came back on him.

MR. EWING: Mr. Webster claimed to you that some of the liquor had been sold and had been returned to him. Did he tell you the cases in which it had been sold and returned?

A.—I think he mentioned one particular case, Dr. McCord, and he had complaints of it. But leading on to the question, you asked for there. It has been occupying room. The jars would naturally get a little dirty, and the labels dirty, and I wanted to know what condition it was in, for my own benefit.

Q.—Are you speaking of the liquor you found in the warehouse when you took it over? You have been describing certain liquor as being unfit for sale. Are you applying that to all the liquor in the wholesale portion when you took it over? A.—No, only to liquor that I would have suspicion was not right.

Q.—Well, that is it? A.—I would naturally have it analysed and see the condition it was in.

Q.—What liquor did you suspect as not being right? A.—Well, naturally, when Mr. Webster, the local Vendor, stated it was not fit for sale, and he would not sell it, it was up to me to find out what condition it was in.

Q.—Did he pick out this 31 gallons you submitted to the Analyst, or did he cast his suspicion upon a great deal of liquor? A.—Mr. Webster, did not know that I had taken these samples away.

Q.—What particular liquor did you suspect? You see what I mean? A.—Well, the class of liquor that was not selling, for instance, in one case. Our standard brands such as Walker's Imperial Rye and Special Rye and case goods, there is not much object in having that analysed; these people stand behind it. But this was packed goods by someone not the distiller.

Q.—These were packed goods? A.—Yes, not by the distiller.

Q.—What does that mean? What do you mean by that? A.—Well, they did not come from the distiller in the condition they are in at the present time. Those packages they are in does not come from the distiller.

Q.—You mean they did not come from a distiller in the packages they are now in? A.—Yes.

Q.—That is, they were removed from the containers in which they came from the distiller, and put into containers by somebody? A.—Yes.

Q.—Was there a great deal of that class of liquor when you took charge of it? A.—Not a great deal.

Q.—How much? A.—Well, there was 31 gallons there, and I do not think a drop of it has been sold.

Q.—Was this 31 gallons all the liquor that had been removed from the containers in which it arrived from the wholesale? A.—No, I think possibly we have maybe a few more gallons.

Q.—But practically the 31 gallons, barring some few more gallons that may be around, represented all the liquor that was there? A.—Of that class, I should judge.

Q.—Yes, that is what I mean? A.—When you are speaking of that, there is a keg of wine that Mr. Webster turned back.

MR. MACKAY: What is that? A.—There is a barrel of wine Mr. Webster turned back and refused to sell. I have not had that sample taken over again.

MR. EWING: But in addition to the barrel of wine and in addition to perhaps a few— A.—I think there is a barrel and a keg of wine.

Q.—In addition to that these represent approximately all the liquor that you suspected of being not fit for sale? A.—Well, I have had other samples from time to time analysed, but that is practically all of that class of stuff.

Q.—Now, then, dealing with the stuff that was in the warehouse when you took charge about the 6th of November. I think you took charge about then. Dealing with that stuff, was this particular 31 gallons, or the portion of it that was in the wholesale, set aside in a separate place? A.—No, it was in the regular stock-room.

Q.—But was it mixed with the other liquors? A.—Well, each kind was separate, you know.

Q.—Well, these are different kinds, aren't they? But was each kind mixed up with the other liquor of the same kind? That is what I want to get at? A.—You mean to say Scotch whiskies, for instance, in jars on one-shelf and ryes on another, and gin on another? Is that what you mean?

Q.—No, I do not mean that at all. Take No. 7, which is a mixture of brandy and home-made squirrel whiskey. Where was that particular mixture? A.—It would be on the shelf.

Q.—But was it in the same place as other brandies, or other whiskies? A.—I think, if I remember correctly, that is not marked brandy at all. It is marked Scotch whiskey.

Q.—Well, was it with the other Scotch whiskey? A.—Yes, in jars.

Q.—There was no way of discriminating that from the other Scotch whiskey that was there? A.—Well, regarding price, there would be. This varied from \$5.00 to \$9.00 a gallon, if I remember right.

Q.—And was it that that directed your attention to this particular jar? A.—What directed my attention to these jars was that Mr. Webster would not take them out and sell them.

Q.—Were there other jars of Scotch whiskey, or liquors, in the same place that were found to be all right, or that you thought were all right? A.—Yes.

Q.—What directed your attention to this particular jar? A.—Which one do you refer to?

Q.—Why did you have No. 7? A.—Because that is one of the lines that is left in there that Mr. Webster would not sell.

Q.—But there were other jars of liquor there? A.—At a different price.

Q.—What is what I want to get, was it the lower price that directed your attention to the

inferior quality? A.—Well, between that and the conversation with Mr. Webster as to the fact that he would not handle it.

Q.—He did not go in and say, "I am suspicious of this particular jar"? A.—I asked Mr. Webster what was the reason this liquor did not sell, and if he wanted any of it in stock, and he said no.

Q.—What do you mean by taling of this liquor? I understand this jar was mixed up with other jars which were all right—good liquor. Did Mr. Webster come in and single out this particular jar, and say, "I can't sell that, and I don't think it is good liquor"? A.—Well, now, you are speaking of Scotch whiskies there. There are quite a number that are marked "Gin," and Mr. Kelso does not state any gin there. Gin would be together on a shelf. Scotch whiskies would be together.

Q.—Yes, I am taking this. I just want to get clear as to what the exact situation was. I am taking No. 7, which is described as a mixture of brandy and home-made squirrel whiskey, and you say that jar was amongst the Scotch whiskies? A.—In the same room.

Q.—Are all your liquors mixed up? Don't you keep Scotch whiskies by themselves? A.—That is what I am telling you. The manner of keeping stock is to take certain lines together, and if you have a low-grade line at the same price, you will keep that together and your next price will be together.

Q.—Your Scotch whiskies will be graded according to price? A.—If they are properly kept in stock there—yes.

Q.—Well, were they properly kept? A.—Yes, I think so. That is a portion of the shelf—not a shelf by itself, but a portion of the shelf.

Q.—Was there other low-grade stuff that was in the same class that you had analysed by Mr. Kelso? A.—Were there other grades of low Scotch whiskies?

Q.—Yes. A.—No.

Q.—There were 8 gallons of mixed brandy and home-made squirrel whiskey that was analysed. You tell us that was amongst the Scotch whiskey? A.—But that is gin. It was not the Scotch whiskies. It would be in the gin pile.

Q.—But it was not gin, was it? A.—I don't know; it was gin on the label. Kelso tells me it is not gin.

Q.—He says a mixture of brandy and home-made squirrel whiskey? A.—If I remember correctly, that is one with a gin label on. That would naturally be where the gin was.

Q.—No. 7, then, was placed among the gin? A.—Well, I am not telling you whether No. 7 is or not. One was gin, and, I think, that is the one that was gin—marked gin on the label.

MR. MACKAY: And what do you think it is?

MR. EWING: No 7, the one that was marked gin? A.—Kelso does not say it was gin.

Q.—If it were gin, it would be stored with the gin? A.—Naturally.

Q.—And it would be with the low-grade gin, I suppose, would it be? A.—Well, one portion of the shelf would hold one quality.

Q.—How much gin had you in the store at the day you took this out? A.—Two full barrels I know of, and five or six kegs and several cases.

Q.—This particular stuff would be in jars? A.—Yes, in jars.

Q.—How much gin had you in jars at that time? A.—Apart from the other, I do not just remember now off-hand whether there was any other gin in jars. There might have been.

Q.—Is this the fact, that all the gin was in other containers, that one jar of gin was by itself and that because of that you directed it to be analysed? A.—I did not say one jar of gin was by itself. There were fourteen jars there. Isn't there 14 gallons there?

Q.—Well, if it is number 7 there are 8 gallons. I see 8 gallons at the right hand side. I see, there were 8 gallons in the wholesale. How many jars would that be? A.—It might have been partly in ones, and may be in halves.

Q.—It may be eight to twelve jars? A.—Yes.

Q.—Would all the eight to twelve jars be all the gin in jars? A.—Well, I could not say that.

Q.—I can't tell how you chose this gin to be analysed and not the other? A.—Well, as I say, Mr. Webster refused to sell it, and we had no other way of finding out for our own judgment.

Q.—How did you distinguish the unsaleable gin from the saleable gin? A.—Well, it was a lower price for one thing. One gin we sold at \$10 a gallon, and, I think, that is marked at \$5.

Q.—Was it the \$5 you had analysed? A.—Naturally, yes.

Q.—You did not have any high-priced gin analysed? A.—Not in this lot no.

Q.—And, then, we come back to where I started. It was the low-priced liquor that you had analysed? A.—Yes.

Q.—And that is what guided you in selecting the liquor you would have analysed? A.—Well, any suspicion that liquor was not right. If I had any suspicion that it was not right, I would naturally find out what was the trouble, and know what it was before we put it on the market.

Q.—And what caused your suspicion? A.—Well, as I said before, Mr. Webster refused to accept it for sale.

Q.—Did Mr. Webster go into the wholesale room and lay his finger — A.—I asked him to come in and say why he could not sell it, and he said it was not good enough.

Q.—Did he single out the particular jars that he said were not fit for sale? A.—Yes, in his judgment.

Q.—He went through your liquor stock and singled out the particular jars which in his judgment were not fit for sale? A.—No. I asked him why this stuff would not sell, and if he wanted any for sale, and he said he did not.

Q.—He picked out the particular jars he refused to accept? A.—Yes. I have been there about four or five months, and I do not propose to leave it there for ever. If it is not any good, I propose to throw it out, or something else will have to be done with it.

Q.—When did you take Mr. Webster in to give you this information? A.—Oh, some months ago.

Q.—That is when you first took charge? A.—Well, possibly, not immediately, but after I had begun to know where the stock was, and what it was.

Q.—But very shortly afterwards? A.—Yes, two or three occasions.

Q.—Would you say that Mr. Webster had knowledge all along that there was liquor in there that was inferior? A.—I would say so.

Q.—Did Mr. Webster ever tell you how he knew that this liquor was inferior? A.—Well, he said some of it had come back on him.

Q.—Did he give you any other reason? A.—No.

Q.—Did you ever discuss with him why such liquor as this should be in stock? A.—No, I do not think so.

Q.—When Mr. Webster went into the wholesale house and told you that there were certain liquors there, he would not accept at all as fit for sale, did you make any enquiries as to how they came to be in there? A.—Well, who would I enquire from?

Q.—From Mr. Webster? A.—Well, he would not know.

Q.—I am asking if you made enquiries from him, or did he volunteer any information? A.—No.

Q.—He just told you? A.—He said it was liquor handed to him by Mr. Forster, and he could not sell it, or would not, I do not remember what word he used "could" or "would" not.

Q.—And you had no further conversation with him concerning the origin of that liquor?

A.—No, I cannot recall any, or how it was packed. I do not think Mr. Webster would know.

Q.—He did not volunteer any information, or you did not get any opinion from him as to how that liquor came to be in the warehouse at all? A.—No, I don't know whether he knows or not.

Q.—Was there any confiscated liquor in the warehouse that you know of? A.—Yes.

Q.—Much of it? A.—Well, there was some of it from time to time.

Q.—Did you keep it separate from the other liquor? A.—Yes, it was in a separate room.

Q.—This could not possibly be confiscated liquor, could it? A.—Oh, I can't say that; I don't know the origin of it.

Q.—If it were confiscated liquor, and low-grade liquor of the kind that is described here, it could not properly get among the liquors in the way it was? That is correct? A.—Unless Mr. Forster decided that certain confiscated liquors were good liquors, and should be sold, then he would naturally take it over. But I cannot say as to whether that is confiscated.

Q.—But what practice did you follow with confiscated liquors before putting them in stock for sale? A.—Anything that is of a standard brand, and I am satisfied that the seal is intact as it left the packer, we haven't any hesitation in putting it in stock, and selling it.

Q.—But what about the other? A.—We do not touch it at all until we get Mr. Kelso to go through it.

Q.—You get Mr. Kelso to analyse it. How long has that practice been followed, do you know? A.—I do not know, followed ever since I have been there.

Q.—You have no knowledge of what was done prior to that? A.—I have no knowledge at all.

Q.—Practically all of this 31 gallons that you have described was unfit for sale? A.—The report is before you.

Q.—Well, that is correct, isn't it? Or, would you say that is not correct? A.—Well, I would certainly say it was correct after I saw the samples.

Q.—Have you sold any of this 31 gallons since then? A.—No, or any other times that I know of.

Q.—Did you act under instructions in taking this liquor to the analyst? A.—No.

Q.—You did it of your own motion, did you? A.—Yes, I did. Well, of course, from time to time, I might speak to Mr. Browning, and I might speak to Mr. Boyle regarding what we would do. Take a case of that kind; there are 31 gallons of stuff charged up to us at a certain price, and, naturally, I am responsible for that liquor. If it is unsaleable, it should be disposed of in some way. There is no use in carrying that from year to year, and I may have spoken to Mr. Browning regarding that kind of stuff. I am not sure. And I may have spoken to Mr. Boyle regarding it. But if I did, the instructions would be not to sell it until we knew what we were selling.

Q.—And assuming that you did ask for instructions, that is what the instructions would be? A.—Yes, I am assuming it.

Q.—Well, I would not like you to assume what your instructions would be. This 31 gallons was in stock at the time you took over the Vendor's store? A.—It was, and it is there yet.

Q.—Can you give any reason why you did not have it analysed before the 8th of April? A.—No, I have no special reason for that. We have had a great deal of work done by Mr. Kelso.

Q.—At the time you took it over from Mr. Forster, did you have any discussion with Mr. Forster about inferior liquors? A.—No.

Q.—That is, no inferior liquors were mentioned at all? A.—Just the once.

Q.—The barrel of wine and the keg? A.—Yes.

Q.—What did Mr. Forster say about that? A.—Well, he did not seem to know what to do with it. He thought it might be fixed up, but as far as I was concerned I would not do any fixing.

Q.—That is, you would not attempt to make it saleable? A.—No, I would not attempt to make something wine that was not wine.

Q.—But this 31 gallons was not mentioned by Mr. Forster at all? A.—No.

Q.—When you took it over, it was sealed up in the same way as it was when you took samples yourself? A.—Yes; Mr. Munroe and myself broke the seals.

Q.—And the seals were the seals that were put on by Mr. Forster, I suppose, or someone on his behalf? A.—Well, by someone, I don't know.

Q.—That is they were put on in the warehouse here? A.—I suppose so.

Q.—You satisfied yourself that they were not the wholesaler's seals, anyway, didn't you? A.—Yes.

Q.—By the way, doesn't the seal indicate whose seal it is? A.—No.

Q.—What kind of a seal is it? A.—It is just plain wax.

Q.—There is nothing to indicate it was the Province of Alberta, or the Vendor's, or anybody's? A.—Oh, no.

Q.—And you are quite sure that no discussion took place between Mr. Forster and yourself in reference to this particular stuff? A.—No, I do not remember any conversation. The wine is the only thing I remember any conversation regarding, and the wine in the stock sheet is marked sour.

Q.—How many gallons were there approximately when you took it over? How many gallons were there in the warehouse? Could you give an estimate? I mean in the wholesale.

A.—It is in the Auditor's report.

Q.—There would be a good many? A.—There was not a heavy stock.

Q.—Several hundred gallons? A.—Yes.

Q.—Several thousand gallons? A.—No, there would not be several thousand gallons; the stock was low.

Q.—You told us that you saw Mr. Boyle on several occasions about the method of conducting the business? A.—Yes.

Q.—And Mr. Boyle told you to show no partiality? A.—Yes.

Q.—Not even members of Parliament? A.—Yes.

Q.—He specifically mentioned members of Parliament? A.—Yes.

Q.—How is it he came to suggest that? A.—I do not know.

Q.—Were members of Parliament in the habit of—members of Parliament are not privileged persons within the meaning of the Act? A.—I suppose not. There might be some members of Parliament druggists.

Q.—Do you know any members of Parliament that are druggists? A.—Yes, Mr. Pingle is a druggist, if I remember right.

Q.—Do you remember anyone else? A.—No, I do not think I can.

Q.—This was an extraordinary expression that you were not to show partiality to members of Parliament? A.—I don't know it would be extraordinary only a member of Parliament as a druggist.

Q.—You took his meaning, then, that you were not to show any partiality to Mr. Pingle, did you? A.—No, I did not.

Q.—At any rate, Mr. Pingle would not be buying liquor at this particular store, anyway? A.—No, I suppose he buys in Calgary, anyway, what he buys.

Q.—Well, do you know any member of Parliament, then, that Mr. Boyle might have referred to? A.—I could not tell you.

Q.—But Mr. Boyle just contributed to you the remark that you were to show no partiality to members of Parliament, and nothing further was said? A.—No partiality to anyone.

Q.—Not even members of Parliament? A.—Not even members of Parliament.

Q.—Do you know any members of Parliament in this particular store that are concerned with the purchase of liquor? A.—Mr. Boudreau is connected with the Dominion Drug Store, as far as I can understand. He is not a druggist, though, not registered.

Q.—Do you know any other members of Parliament to which that warning might be applicable? A.—No. I see Dr. Blow there. I don't think he buys there.

MR. BOUDREAU: Possibly you think one is enough.

MR. EWING: I think it is, Mr. Boudreau; I think possibly it is one too many.

Q.—Where is this 31 gallons now? A.—It is in the Edmonton warehouse, excepting one pint, and that is in the University with the analyst.

Q.—When you hand out liquor to the local Vendor, do you charge him with the amount mentioned on the barrel, or do you deduct the shrinkage that must have taken place in the warehouse? A.—We charge him with the full amount as mentioned on the end of the barrel.

Q.—Even though that amount is not there? A.—Yes.

Q.—You know it is not there? A.—We know there is a certain shrinkage or liable to be.

Q.—You know that two or three or four or five per cent. is not there? A.—Yes, we suppose it is not there. We find out afterwards it has gone off. In both stores, there is a card attached to the barrel, and the moment a barrel is tapped, a record is kept of all that has gone off. There are three or four columns for gallons, quarts, pints and ounces, if ounces have gone off.

Q.—You are speaking of barrelled stuff now are you? A.—Yes, barrelled stuff.

Q.—Do you draw it off and make that inventory before or as you hand it to the Vendor?

A.—The Vendor does that. It is charged up to him at face value of the barrel in quantity, and he in drawing it off keeps a record of it, and it is entered.

MR. MACKAY: That would be the only practical way? A.—And the same with broken bottles. He is charged up with the straight cases.

MR. EWING: And take for example a 34-gallon barrel? A.—41 or 42.

Q.—And when the Vendor has emptied it, he finds there is only 41 gallons. Then do you alter your records just to charge him with 41 gallons? A.—No.

Q.—But one gallon has disappeared, and the record showed he only got 41 gallons? A.—And he has his record stating that he only drew off a certain quantity.

Q.—Then, assuming the case which I have mentioned, he would only get the 41 gallons? A.—That is all I would be able to sell.

Q.—That is all there would be there? A.—Yes.

Q.—That is all you would charge him with? A.—No. You would charge him according to the face value, according to our invoices in order to keep straight there. The discrepancy must be in one place. We cannot tell what the discrepancy is until we draw it off. What are we going to do about drawing it off there?

MR. MACKAY: It would evaporate more?

MR. EWING: And the loss would be in the wholesale department and not chargeable to the Vendor? where the shrinkage did not occur at all? A.—Well, that is a matter of bookkeeping; that is the final place where the stuff is drawn off. We cannot draw it off and hand it out in jugs. For instance, we do not know what quantities would be required. It would take too much room.

Q.—I am just getting at the system you have of keeping track of it. A.—Yes.

MR. MACKAY: You do keep track of the shrinkage though? A.—Yes.

Q.—And you say there is a regular separate room to keep the confiscated liquor in? A.—Yes, both here and in Calgary.

Q.—In connection with both shops? A.—Yes.

Q.—And confiscated liquor is supposed to be in that room and not in the ordinary ware-rooms? A.—No, it is not in the ordinary ware-rooms. Naturally, any that is good and saleable we take out.

Q.—It is first put in the room where confiscated liquor is kept? A.—Yes.

Q.—And if there is liquor there that shows the seals have not been broken, and every thing indicates that it is exactly as the distiller or manufacturer put in up, you may take that over and put it in stock? A.—Yes, and pay for it.

Q.—But you would not put in jars the goods that were not made up? A.—Not without first getting Mr. Kelso to report on it, and I think in almost every case he has condemned it.

Q.—You say Mr. Forster spoke to you about—was it a keg of wine? A.—A barrel and a keg.

Q.—That were no good? A.—Yes.

Q.—Did he speak to you about any other liquor in the warerooms that was no good? A.—I do not remember. I do not think he did.

Q.—But he did speak of a barrel and a keg of wine? A.—Yes.

MR. EWING: Are you stating positively to the Committee that Mr. Forster did not speak to you about other liquors being unfit for sale at the time, or around the time, you took over the warehouse—the business? A.—I do not remember any conversation regarding any other. I do not think he did.

Q.—Well, now, will you say that he did not say—that he did not? A.—I am telling you I do not think he did.

Q.—That is as far as you care to go? A.—As far as I remember.

Q.—He might have said that to you, and it was not a matter to which you would pay particular attention? A.—I do not think he said so.

Q.—And that is as far as you can go? A.—Yes; I would not swear positively he did not, but I do not think he did.

Q.—You would not swear positively he did not? A.—No.

Q.—Now, I want to ask you, in order that there may be no mistake about it, did anyone speak to you about having this liquor analysed outside of any previous conversations which you may have had with Mr Webster? A.—Well, as I said before, I may have spoken to Mr Browning, or I may have spoken to Mr Boyle regarding liquors that were not fit for sale, and I purposed to have anything of that sort analysed before I did anything with it.

Q.—Did you have any conversations with Mr Boyle or Mr Browning re this? A.—Regarding that particular thing?

Q.—Yes, regarding the analysing of this 31 gallons of liquor? A.—Well, I do not think so, unless in a general way.

Q.—Do you remember having a conversation with Mr. Boyle about this liquor at all? A.—Yes; I told him I had taken over some stuff that I considered, after I poured it out, to be disreputable stuff.

Q.—That is what I wanted to get at. When did you tell him that? A.—After I had taken it over.

Q.—Yes, but when.? A.—Only two days elapsed between the time I took it over and the time that —

Q.—Perhaps I have not made myself clear to you, and I want to make it clear to you. We commenced an investigation here on the 25th of March, 1919. Between that date and the 8th of April, 1919, did you discuss the analysis of this liquor with Mr. Boyle? A.—Of this particular liquor?

Q.—Yes? A.—Why, no. This report I only got yesterday, or the day before.

Q.—No; but you discussed the question of having it analysed? A.—No, not of having that particular stuff analysed. I frequently spoke about these kind of things. Naturally, Mr. Browning is the man I go to for the most information or advice. I do not think Mr. Browning knows that I have those over there.

Q.—Then your evidence is that you did not speak to Mr. Browning between the 25th of March and the 8th of April about having this liquor analysed? A.—No. Do you want to know if I was instructed to get this analysed? Is that what you are after?

Q.—Yes? A.—No, I did it on my own hook. You want to know if I was instructed to take samples of this particular stuff away?

Q.—Yes? A.—No.

Q.—You were not instructed to do it? A.—No.

Q.—Was any suggestion made to you that you should do it? A.—No, I did it myself. Mr. Webster, even, did not know I had taken it away.

Q.—Well, I know. A.—But he is there in the shop.

Q.—Was any suggestion made to you between the 25th of March and the 6th of April that you should have this done? A.—No.

Q.—That is correct? A.—Yes. I got into this mix-up quite innocently.

MR. MACKAY: What do you call mix-up? A.—Well, coming here to give evidence at the particular time. This is just a matter of ordinary rule.

MR. EWING: It is a matter of ordinary routine? A.—To keep track of —

Q.—No, that you find some 31 gallons of liquor unsaleable? A.—Well, we have found a great deal, more than 31 gallons of unsaleable liquor, but it was all confiscated stuff.

Q.—But I am not speaking of that? A.—This was a class of stuff, as I said a while ago—we were hampered for room, it was lying there, and I had spoken of this several times to Mr. Webster, and I finally decided I would find out just what condition it was in.

Q.—Your attention was not directed to the time you took over the liquor from Mr. Forster in any way? A.—No.

Q.—Either by location, or in any way? A.—No.

Q.—And how long was it after you took it over that Mr. Webster first suggested there was certain liquor there that was unsaleable? A.—Oh, any part of it may have come up within three or four days because we were short of goods, and it was a matter of having anything and I would naturally say, "Why was this stuff not saleable?"

Q.—Can you give any reason why this 31 gallons was on your shelves and not saleable, told to you by Mr. Webster within three or four days after you took it over, and nothing was done until the 6th of April to have it analysed? Q.—Well, I cannot give any reason for that. We have to do these things gradually. We have had a lot of that kind of stuff.

Q.—But this 31 gallons you have told us of outside the barrel and the keg of wine of which Mr. Forster spoke to you was practically all the stuff of this particular character, and although you knew shortly after you took it over that it was there and unsaleable, you took no steps to have it analysed until the 6th of April? A.—No, I did not.

MR. CAMPBELL: Was that liquor on the list you took over? A.—Yes.

Q.—Was a price on that list? A.—No, the quantities.

Q.—Was there any price? A.—Not on the stock list.

Q.—No price whatever? A.—No. It is in the Auditor's report.

Q.—You are quite sure there was not? A.—I do not think there was. Without looking up the Auditor's report, I would not say. The report is here in the house. I have not a copy of the report.

Q.—Were there prices on the other liquors you took over? A.—No, I think just quantities, so many gallons of a certain class of rye and so many gallons of a certain class of Scotch or gin, or whatever there happened to be, and so many cases of Scotch of a certain brand.

Q.—So that you would have no reason for discussing low-grade liquors with Mr. Forster? A.—No.

Q.—You would have no knowledge at that time as to what the price of liquors were? A.—Yes, the price was marked on jugs.

Q.—And did you notice it then? A.—I don't know I noticed it the particular time I took the stock.

Q.—You were taking over every particular parcel were you not? A.—Yes.

Q.—And you did not notice the price then? A.—I would notice the price, I suppose.

Q.—And if you noticed gin at \$5.00 a gallon, you would not take any notice of it? A.—I am not a gin expert. There might be \$85 gin for all I know.

MR. DAVIDSON: When did you learn about this particular liquor? A.—A few days after taking hold.

Q.—But Mr. Forster was in the Department for a month. Didn't you ask him anything about it? A.—He was not in the Department.

Q.—I mean in the liquor? A.—Well, he was not in our Department?

Q.—I understand he said he was there till the 24th of December?

MR. MACKAY: Not in there.

MR. CAMPBELL: Well, he was in town.

MR. MACKAY: He was in town. He was paid until the 24th of December.

THE CHAIRMAN: I understand he was checking off with the Auditor somewhere, but I did not understand he was in the warehouse. He was checking off the amount for the auditors.

MR. CAMPBELL: It did not occur to you while Mr. Forster was here to discuss that low-grade liquor with him? A.—I did not discuss it with him.

Q.—But after he went away you thought it well to have it analysed? A.—Well, it was there for some months.

Q.—But he was here for some days? A.—Yes.

Q.—And on the Sunday you decided to have it analysed? A.—Was it Sunday?

Q.—Well, that was the 6th. When did you take it to Kelso? A.—Well, I don't know; but some days before that report came in. But it was not Sunday. I can assure you that, now.

Q.—Well, what day was it? A.—Well, I do not know. Probably it would be Saturday, or Monday. Kelso would know.

Q.—Your memory would not be good to go back four days? A.—I do not bother my memory with those kind of things. I can go back and get my report.

Q.—Will you swear you did not take it on Sunday? A.—Sure, I will. If you want any more oaths on that, come along.

MR. EWING: I think the point that is in the minds of some of the members of this Committee is this, that within a very few days after you took over the warehouse, you knew of the existence of this low-grade liquor, you knew of its low price, Mr. Forster was around here and easy to be got at, he was still in the employ of the government and you never mentioned it to him at all at any time, and you never got it analysed until about the 6th of April, 1919. These facts are correct, are they not? A.—Yes.

Q.—Would you care to give any explanation to the Committee how that happened? A.—Oh, there is no explanation necessary in a thing of that kind as far as I can see.

Q.—Well, of course, that is a matter of opinion. You think no explanation is necessary? A.—Well, I do not think so. I do not know what you think. It is a matter of ordinary routine work.

MR. CAMPBELL: Will you swear that these were the same seals that you broke that were on there when you took over that stock? A.—Yes.

Q.—You are prepared to swear that? A.—Yes.

Q.—How could you identify that? A.—Because I had the keys of that liquor, and no one else could get in. There is no identification of it.

Q.—No person had a duplicate key? A.—Well, not as far as I know. I hope they haven't. I can't swear to the possession of any man.

Q.—But how could you identify those seals? Had you any mark on them by which you could? A.—No mark on them whatever.

Q.—And yet you will swear they are the same seals? A.—Well, the jugs are there, and I am in the room every day, and I think if some of them were gone, or tampered with, I would have noticed it.

Q.—You think it? A.—Yes.

Q.—But are you certain? A.—I am pretty certain.

Q.—Will you swear they were not open during that period? A.—Yes, I will. But Mr. Munroe and I opened them.

MR. EWING: This liquor was in the warehouse when Mr. Forster handed it over to you? A.—Yes.

Q.—It is, I suppose, an improper thing for the Vendor to keep liquor of this description for sale on his shelves? A.—I would consider it improper for the Government to sell that kind of stuff.

Q.—Well, it was the Government of course, through their agents, who had it there for sale? A.—Yes, but I knew almost immediately that it was not being offered for sale.

Q.—And if Mr. Forster knew of that liquor being there, being the kind of liquor that it was, and was offering it for sale he was doing an improper thing, in your judgment? A.—Well, I would not do it.

Q.—And can you explain to this Committee, holding these views, how it was that you did not have this stuff analysed while Mr. Forster was here to make any explanation that he might see fit to make concerning it? A.—I do not understand your question quite.

Q.—Look, you knew that liquor was there in that condition? A.—No, I did not know the condition of it.

Q.—You knew it was not saleable liquor? A.—Well, I heard Mr. Forster say so. That is all I know about it.

Q.—Mr. Forster was around here for a very considerable time after that, six months or two months. He was also back here for nearly a week, a few days ago. No analysis was made of this liquor until Mr. Forster had left the City of Edmonton. Was that purely an accident?

A.—I don't know what you would call it, an accident, or what you would like to call it.

Q.—How do you come to be giving evidence here to-day? A.—I do not know.

Q.—You do not know?

THE CHAIRMAN: He was requested to be here, and I ordered him here.

MR. EWING: You were requested by the Chairman to be here? A.—Yes.

Q.—Do you make public the fact that you have liquor analysed? A.—Well, I didn't go out on the street and yell to people or put it in the paper.

Q.—Well, what particular publicity do you give to it? A.—I do not give any publicity to it. I take them to the proper man for the purpose.

Q.—Whom did you tell in this particular case that you had this liquor analysed? A.—Whom did I tell?

Q.—Yes? A.—Well, I suppose I told Mr. Boyle.

Q.—When did you tell Mr. Boyle? A.—After I took it over there.

Q.—And before the results were known? A.—Well, any time I have ever taken anything over to Mr. Kelso, we have gone through it together, and he gives a sort of verbal report.

MR. MACKAY: Who? A.—Kelso.

MR. EWING: Does he always give a written report? A.—He will if you ask for it.

Q.—Well, have you always asked for it? A.—Yes, I think, I have.

Q.—That is, you have written reports of every analysis that Mr. Kelso has made? A.—It has been principally of course with confiscated stuff. We have one fairly lengthy report. He has been rather busy sometimes.

Q.—When you make these analysis, you report in each case to Mr. Browning, or Mr. Boyle, do you? A.—Yes.

Q.—In every case? A.—Well, I do not think in every case.

Q.—Is it accidental, the reports you make? A.—Well, we eventually will. That confiscated report when it comes in, of course, has to go to the Attorney-General.

Q.—Didn't you go and speak to him personally about it? A.—Well, I don't think he knows.

MR. MACKAY: About which? A.—About quite a lengthy report Mr. Kelso has at the present time.

MR. EWING: I am speaking of the cases in which you have the analyses made. I am asking if you report verbally to Mr. Boyle, or Mr. Browning? A.—No; we are supposed to send in a written report.

Q.—Has your written report gone in in this case? A.—Yes.

Q.—When did it go in? A.—Yesterday.

MR. MACKAY: Got to it at last.

MR. EWING: When did you get your summons to appear here? A.—Day before yesterday.

Q.—And your report went in yesterday? A.—But I was likely to be called.

Q.—I think you have already told us that you reported to Mr. Boyle that you were having this analysis? A.—Well, I likely did in conversation.

Q.—Was that purely accidental? A.—I would say so. More particularly in this case because I did not think it very important.

Q.—But you got your notice to attend the day before yesterday, and your report went in yesterday? A.—Yesterday, or the day before. I am not sure. The date is on the report there. It went in on the date of that day.

Q.—Was this the report you sent in? A.—That is a copy of the report I have there. That is not the report.

Q.—You are speaking of Kelso's report? A.—Yes. That went in on that date.

MR. MACKAY: What you mean is you got Kelso's report on the 8th, and sent it in on the 8th! A.—Yes.

Q.—And this is the 10th? A.—Yes.

Q.—Two days after? A.—Yes.

MR. EWING: Now, are you positive about that? Did you send it in? A.—That is the date which it went in to the Attorney-General.

Q.—Did you mail it to him? A.—Well, I think it was handed to him.

Q.—By who? A.—Well, we have a girl that runs up and down considerably, and I was over for that report, and Mr. Kelso himself brought it to the office, and I am not sure whether Mr. Kelso took it up or not.

Q.—But you received it yourself, did you? A.—Yes, the day before yesterday.

MR. MACKAY: You were asked something about Mr. Forster. How many days, about how many days, did it take to take the liquor over when Mr. Forster was there? Or, putting it this way—when did Mr. Forster leave the warerooms there? A.—After the 7th, Mr. Forster did nothing to assist in checking off the stuff, and immediately that was checked off, we saw nothing more of him around the warehouse.

Q.—When would that be? A.—It would take about three days.

Q.—And you saw nothing of him after that around the warehouse? A.—No.

Q.—Had the fact—I do not know whether you get the drift of the question—had the fact that Mr. Forster was here or away anything to do with your getting that liquor tested? A.—Nothing whatever.

Q.—And you did it— A.—Purely on my own initiative.

Q.—As you stated? A.—Yes.

WILLIAM JOHN WEBSTER, recalled, testified as follows:

We have kept a report of the breakages and the discrepancies in measuring in this book.

MR. MACKAY: What book are you talking of? A.—This book is the book that is kept to show the losses in the quantity of liquors and alcohols and the breakages from time to time.

Q.—This book begins January? A.—January 2nd.

Q.—Who ordered the keeping of this book, if anybody? A.—Mr. Douglas.

Q.—Mr. Douglas ordered the keeping of this book to show what? A.—To show the losses in measurement between what he gives me and what is actually taken out of the barrels, and those cards.

Q.—Well, never mind the cards now. What date does this book start at? A.—January 2nd for alcohol.

Q.—I see there is one column the date, and the number of the barrel, and the shipper or manufacturer? A.—Yes.

Q.—And the original contents, would that be marked on the barrel? A.—On the barrel.

Q.—And the quantities withdrawn? A.—Yes.

Q.—And then the loss? A.—Yes.

Q.—What does that loss mean? A.—So much per cent.

Q.—What does that mean, breakage or what? A.—Well, evaporation.

Q.—Take January the 7th, for instance; January 6th, barrel No. 318, the original contents, 42.5 gals.? A.—Yes.

Q.—Quantities withdrawn, 41.03? A.—41 gals. 3 qts and a pint.

Q.—Well, take that again. I do not want to mislead. January 6th, barrel, 318? A.—Yes.

Q.—And what would be marked as the contents by the Excise—how much? A.—42.9.

Q.—And when you withdrew it you got how much? A.—39 gals. and a pint.

Q.—There is a loss there of how much? A.—984 ounces.

Q.—In other words, in reference to that one barrel, if you were not allowed for the shrinkage you would have to pay it out of your own pocket, wouldn't you? A.—Certainly.

Q.—Do you want to say anything generally about what percentage the shrinkage would run? A.—Well, the percentage of this alcohol runs from $3\frac{1}{2}$ to $4\frac{1}{2}$ per cent.

Q.—Have you any other liquors here? A.—Well, here is the index (indicating).

Q.—Do you want to speak of any others? A.—Well, there is rum.

Q.—How many ounces in a gallon of alcohol? A.—160; 160 in anything, in a gallon of water or anything. That would be specific gravity, but this is measurement.

Q.—We will take page 12 here. Rum, barrel account? A.—Yes.

Q.—Rum, date January 14th; original contents, 111; quantity withdrawn, 106 gals. 2 qts. 1 pt., and therefore how much shrinkage? A.—700 ounces.

Q.—That is a sample of rum. Do you want to turn up any other? A.—I want to turn up some breakages. There is rye, Canadian rye.

Q.—Take page 16, Canadian rye, January 3rd, original contents? A.—43.1 gals.

Q.—Quantities actually measured out? A.—40 gals. 2 qts., loss 140 ounces.

Q.—Page 20, Imperial rye, date March 17, number of barrel 179; original contents, 43.5, amount actually measured out? A.—42 gals. and 2 qts., loss 160 ounces. And then there is another one.

Q.—Take that, then? A.—March 22nd, barrel 180; original contents, 43.4; amount actually measured out, 41 gals., 3 qts., loss 264 ounces.

Q.—And here is Imported Scotch, barrel account?; date January 3rd; original contents? A.—34 gals.

Q.—Quantity actually measured? A.— $33\frac{3}{4}$ of a pint. 20 ounces short.

Q.—Very small loss in Scotch. Is that characteristic of the Scotch, that it stands wear and tear better than the other? A.—I don't know about that.

Q.—Take this one, January 13th? A.—Yes.

Q.—Barrel, 817? A.—Yes, $35\frac{1}{2}$.

Q.—The original contents; that is what is charged up to the Vendor's store? A.—Charged up to me, 35 gals.

Q.—And it only measured out? A.— $31\frac{1}{2}$ gals.

Q.—So there is a straight loss of 4 gals? A.—640 ounces, yes.

Q.—Do you want to show anything else? A.—Gin.

Q.—Gin; barrel account. Take January 9th, barrel 101; original contents? A.— $10\frac{1}{2}$ gals.

Q.—Actually measured out? A.—8 gals. and 1 qt.; loss, 380 ounces.

Q.—Do you want to show any more? A.—I want to show the broken ones.

Q.—How old are you, Mr. Webster? A.—I have seen 75 birthdays.

Q.—Wine barrel account. Take the first one. January 11th, charged up to you how much? A.—36½ gals., measured out 33.

Q.—And a loss of 3½ gals. of that? A.—Yes.

Q.—There is rye that is broken. Canada rye. January 20th, one Imperial bottle broken in the case. Was it spined out? A.—Nothing in it.

Q.—Then it must have been spilled out. And then on page 81, February 10th, one bottle? A.—Broken in case.

Q.—And all down this page, let me see (counting). I see, then, between February 10th and April 3rd, there are 14 parcels broken in some way? A.—15 bottles broken?.

Q.—What size bottle were they? A.—40-ounce bottles.

Q.—Who checks these up? Whose writing is that in this book? A.—That is Mr. Clark's writing. He takes it off these bills.

Q.—Who is Mr. Clark? A.—He is the bookkeeper there now.

Q.—Where does he keep these figures? Where does he get them? A.—From the cards that are placed on the barrels.

Q.—Is that card attached to each barrel when it comes to you? A.—Yes, we put that on to each barrel.

Q.—Who? A.—Either Mr. Douglas, or I instruct the man who is putting it upon the rack to put that card on.

Q.—That is immediately it comes from the warehouse to the Vendor's rooms and before anything is sold this card is put on? A.—Is put on.

Q.—The card shows the contents "Alcohol, 65 per cent.?" A.—Yes.

Q.—Headed "Alberta Government's Liquor Vendor's Barrel Account?" A.—Yes.

Q.—And the columns, barrel so and so; original contents, 42 gals. and quantities withdrawn and 2 gals., 1 gal., half a gal., half a gal., 22 gals., 6 gals., 2 gals., and 2 gals., 1 gal., 1 gal., and that is how you keep check of it as it is drawn out; the exact amounts? A.—Yes.

Q.—And is that your regular system? A.—That is the regular system now.

Q.—Was that system in vogue in Mr. Forster's time? A.—No.

Q.—It is part of the system now? A.—Yes.

Q.—Although this system that you have at present in vogue was not in vogue in Mr. Forster's time, still there was a different system that kept everything accurately, didn't it? The system you had accounted for everything? A.—No, we never kept a record of what was going on.

Q.—I am not asking that. But you took your original—let's be fair, you know? A.—Yes.

Q.—When Mr. Forster was there a man came in and signed his requisition, and the amount of liquor that was delivered to him would be in the requisition? A.—Yes.

Q.—And you had your original records to check up, although it would not check the shrinkage? A.—Wait till I understand you now, with an explanation, Mr. MacKay. Mr. Forster would ask me to sign for the original contents, and then when—

Q.—You would sign what? A.—I would sign the original contents.

Q.—But sign what—a book? A.—Sign a book, with the amount of what was put on each barrel or the number of cases of each kind of liquor. And then the sum of the loss would be in that part as there would be now.

Q.—And how would he keep check of your loss? A.—He did not keep any check of it, nor I did not.

Q.—And the shrinkage, there would be a shrinkage? A.—Yes.

Q.—But no way of checking it up? A.—No.

Q.—But apart from that the shrinkage was not checked up? They talk about not keeping books. For instance, your original application from a purchaser shows the amounts, and so on? A.—Yes.

Q.—You can trace through all those what became of the liquors, and the cost and everything? A.—Yes.

Q.—The only thing you say—I mean it is a different system of bookkeeping now. But what was not kept in Mr. Forster's time was the actual check of the shrinkage? A.—Yes.

A.—Do men handling liquors just keep the actual check you are keeping now? A.—I do not think it.

Q.—Did you ever know any liquor men that did? A.—No wholesale man ever told me that he did.

Q.—Do you know whether he did or not? A.—Well, I would not know that.

Q.—But now the actual shrinkage of every package is being kept? A.—On those cards, yes.

MR. ATKINS: Who marks those cards? A.—The men who withdraw the liquor—Mr. Munroe. I do not put up any liquor; I absolutely refuse.

MR. MACKAY: So the men who actually draw from the different barrels or whatever they are—you never do that? A.—No.

Q.—Had you anything to do with the keeping trace of the actual shrinkage? A.—No, nothing whatever. These men, if there is a broken bottle they report it to the bookkeeper, and he enters it up on a slip.

Q.—Well, we are not going into details. It is the system we want to get at. Do you want to say anything else? A.—You were speaking about the Scotch not showing much broken —

Q.—I said evaporating. A.—Well, it seems to have got away somewhere.

Q.—Scotch whiskey, 82—is there anything characteristic about that page? A.—Well, it shows here where it was broken, the different kinds of liquor that was broken. There was one place there, that is characteristic, accidentally broken while being filled.

Q.—It is marked “Accidentally broken while being filled, \$2.00”? A.—Yes.

Q.—Are those all breakages? A.—Those are all breakages.

Q.—So you have a list of breakages there from January 7th to April 9th of how many gallons? A.—Those are all bottles.

Q.—How many bottles? A.—28.

Q.—So in the evidence that was given the other day—I saw it in the newspaper, I do not know, in the whole time you were in there was something said about \$1,300? A.—\$1,384.

Q.—And in arriving at that were you allowed for any of this breakage, or shrinkage, at all? A.—No.

Q.—What do you say as to whether there was an actual shortage through any wrong of yours? A.—There was none.

Q.—You pledge your oath there was none? A.—I pledge my oath there was none.

Q.—I mean shortage in cash, or otherwise? A.—Yes.

Q.—Now, take page 86—brandy? Are those breakages? A.—Those are breakages, whatever it says. Cognac, brandy all broken, there, and missing. There is only 11 bottles there in the case in place of 12.

Q.—And what about this? This was marked empty? A.—That is Hennessey three star, empty in case. It came empty in the case.

Q.—And do you mean to tell me that in what they are calling shrinkages, or shortages, on you, this sort of thing would be happening when it was not being kept trace of? A.—Certainly.

Q.—Are these bottles? A.—Those are bottles.

Q.—How many bottles of brandy? A.—31.

Q.—Between January 28th and April 3rd of this year? A.—Yes.

Q.—What would that be worth, roughly? A.—An average of \$3.75 at least.

Q.—About \$100, roughly, in brandy alone? A.—Yes.

Q.—There would be about \$100 in brandy alone charged to you between January 28th and April 3rd, if this check had not been kept? A.—Certainly, certainly.

Q.—And they would call that a shortage? A.—Yes.

Q.—I would not like to be running your business before. Now, take gin, page 90. There are how many bottles there or quarts? A.—11 quart bottles.

Q.—Between what? A.—Between January 4th and April 1st.

Q.—And what is gin, roughly, worth? A.—Well, on an average it would be worth about \$3.00.

Q.—I see here, for instance, on January 22nd, two quart bottles broken in the case when received, and so on? A.—Yes.

Q.—Is that all now? A.—Yes, I think that is all. And those are the cards (produced).

Q.—Will you explain those? Is there anything else? A.—There is a statement made in the public papers —

Q.—I saw with you a sale on November 8th. Where is that slip? (Produced.)

Q.—This bunch of papers you give me is what? A.—Sales of November 8th. That is goods delivered on November 8th and charged up.

Q.—Here is one—the first one here, dated November 7th, 1918. Whose writing is that? It is filled — A.—Filled November 8th.

Q.—That is filled November 8th, and dated November 7th. Whose writing is that? A.—Mr. Thompson's.

Q.—That is the teacher that was here? A.—Yes.

Q.—This is one of the Rowland applications? A.—That is one of them—yes.

Q.—Dated November 7th? A.—Yes.

Q.—Sworn on the 8th apparently? A.—Yes, sworn on the 8th and delivered on the 8th.

Q.—And the amount is \$234.50. Does your book show that? A.—It does.

Q.—Who kept this book? A.—Mr. Thompson kept that. That book was merely a cash book between Mr. Thompson and I.

Q.—On page 39 of the cash book, it is marked Dominion Drug cheque? A.—Yes.

Q.—There is written in here “Filled November 7th,” whose writing is that? A.—That must be the same man's; that must be Mr. Thompson's.

Q.—Filled November 7th, and delivered when? A.—This was delivered on November 8th.

Q.—How can you tell? A.—Because the cash was given Mr. Thompson, as I told you once before, that I kept all the Government cash in the safe, and when an account came in like this I would hand Mr. Thompson a cheque to put in for this day's sales, and that was filed on the morning of the 8th, and I handed Mr. Thompson that cheque, \$234 cheque. I had got it the night before. I got it on the 7th.

Q.—That jurat is the 8th? A.—I grant that.

Q.—Whose writing is this, the quantities and so on? A.—That is mine.

Q.—Quantities and brand of liquor and so on is yours? A.—Yes.

Q.—How did that transaction take place? A.—Mr. Rowland or Mr. Boudreau came to find out what he could get, and he brought it down with that signature on to it.

Q.—He brought this requisition in blank, except that it was signed by Rowland? A.—Yes, and then he asked for this, to know what he could get. I filled in this. He gave me a cheque that night.

Q.—You say you filled in the quantities and kind of liquor? A.—And the prices, yes.

Q.—And what? A.—It came to \$234.50, and he gave me a cheque that night for it.

Q.—And it was filled on the 8th? A.—Yes. And then he had to bring that back to have Mr. Rowland swear to it.

(Requisition in question filed as on page 376.)

There was something said about the Auditor's report showing me behind. That is not right. The Government owes me.

Q.—They do? A.—Yes, they do.

Q.—What is it? A.—I don't know as I have never had the accounts audited. I did not know if it, that my accounts have ever been audited.

Q.—What do you say about whether you are behind or not? A.—I say I was not behind.

Q.—What do you say the facts are? A.—The facts are here.

Q.—I do not want to go into the details unless you do. A.—Well, the only thing is it is reported in the papers.

Q.—What do you say, in a general way? A.—That I kept all the Government money in the safe, that no part of it went out, except it might be stolen by somebody; I don't know.

Q.—Wouldn't you know if money was stolen? A.—Well, I would think so.

Q.—Well, what are you saying? A.—Well, I am saying that. Because it is possible for a man to take a dollar out of a till you do not know.

Q.—I see. A.—And when Mr. Binns came down to take the cheques that there was, and we deposited them, \$1,972, and the next day, \$1,667 and \$4,680, and so on, that way. Those were put all in bulk, and Mr. Binn in making it up to the 6th, and showing a shortage, but we have an over-plus of cash on hand. So that what I would like would be to let a regular audit be made, and my books gone through right from the start, and, more than that, I would like to see some of the Opposition members that might be the least suspicious be one of the auditors. Now, I do not think it is fair. I do not ask any favours from anybody, but what I do want is to be fair with everybody, and they treat me fair.

MR. MACKAY: I do not think anybody wants to treat you unfairly. I think the Auditor explained that. How much is the amount he put in in bulk there? I think it is \$8,000, roughly. He said he could not get it exactly; it would take the next audit to tell. A.—Yes, and it will show me—I went over these lists, and I had another man go over them, and the Government are owing me a little.

MR. EWING: They are, eh? A.—Yes.

MR. MACKAY: How could they owe you if you are not mixing up the money? A.—I could not tell you, but \$2 or \$3.

Q.—You had another man? A.—Yes.

Q.—Was he a good man? A.—No, he was not a good man. I mean he was not a registered Auditor.

Q.—Well, there are men who are not graduates of universities, or accredited auditors, and they are good men. But when you went over it, how much did you get it within tallying? A.—\$3.50, I think, and I felt rather aggrieved at the public press coming out with statements such as that because I have handled many thousands of dollars.

MR. EWING: Take the first barrel that you produced to us the card of? A.—Of what?

Q.—A barrel of alcohol? A.—Yes.

Q.—That card shows how much? A.—42.9.

Q.—This card shows there were 984 ounces short? A.—Yes.

Q.—And there were in that barrel 39 gallons and one quart? A.—Yes.

Q.—The difference between 39 gallons and one quart and 42.9 gallons is how much? A.—About three gallons.

Q.—And 984 ounces is how many gallons? A.—That would be wrong if it was. That is not right.

Q.—That is what you told us. A.—Well, that is in the book.

Q.—Barrel 318? A.—42.9; 39 and a quart. That should not be 984.

Q.—But that is what it is and that is what is on this card. 984 ounces is over 6 gallons.

MR. MACKAY: Is that crossed out? Just look at that blur.

MR. EWING: Here it is as plain as can be. In a barrel of 42 gallons, do you mean to say there is six gallons short? A.—I would not think it.

Q.—Well, that is what the book shows? A.—Well, I am not accountable for what is in the book.

Q.—I am pointing out that in a barrel of 42 gallons your book shows there is six gallons short?

MR. MACKAY: It is only fair to say that the books shows plainly the difference between 42.9 and 31—the point one. The extension is wrong.

MR. EWING: Here is the point. This card corresponds exactly with your book? A.—True.

Q.—It shows 31, 1 quart drawn off? A.—Yes.

Form B—Sections 12 and 13

(C B)
(39)
(Pd)

PROVINCE OF ALBERTA

Department of the Attorney General
Administration of the Liquor Act

Application for Liquor by a Druggist or Physician

To the Government Vendor, Nov. 7.....1918
as Nov. 8
filled Nov. 7, 1918
.....Alberta.

I, M. J. Rowland, the undersigned, being a properly
qualified and duly registered Druggist within the meaning of
The Liquor Act, hereby make application for :—

QUANTITY	KIND OF LIQUOR	BRAND OF LIQUOR	Cash enclosed for this order
30 qt	Bot Mel gin	67.50	67 50
5 gal	jar Scotch		75
12 qt	Rec. Rye		24
12 qt	Corby Special		21
2 gal	Alcohol		19
12 pts	Guinness Stout		4
24 pts	Walkers Spec. Rye		24
			234 .50

and MAKE OATH AS FOLLOWS:
That the liquor applied for as above is required only and solely for the purposes authorized
by The Liquor Act, and is to be used as follows:.....
.....*See if he did not*
.....*pay \$10 too much*.....
and that the said liquor is to be used by.....at.....
.....
that the said liquor is not intended to be used as a beverage, nor to be mixed with any other liquid
for use as a beverage; that it is not to be sold or given away otherwise than as is permitted by
The Liquor Act; and that no other application has been made to, or filled by, a Government
Vendor upon this Application form, or on this affidavit.

Sworn before me at Edmonton } Signed by the applicant at 4 o'clock
Alberta, this Eight }
day of November 1918. }
.....M J. Rowland.....
Applicant.

.....Lucien Boudreau..... { Government Vendor,
Justice of the Peace,
Magistrate;
Commissioner for Affidavits; or
Notary Public.

NOTE:—
Officer taking the oath will cross out commissions not held by him.
Liquors can be sold by Vendor for CASH ONLY. Send cash, marked cheque, P.O. Order
or Express Order. Register letters containing cash.
Express Orders packed carefully. Loss or breakages in hands of common carriers at pur-
chaser's risk. No C.O.D. orders can be shipped.

Q.—It shows 42.9 gallons in the original? A.—That is what it says.

Q.—Then there is written on this, "Short 984 ounces". A.—That is what is written here, too.

MR. MACKAY: The book is taken from the card, I suppose? A.—Yes.

Q.—The man has copied mechanically, the same as a stenographer. Your books show there are 984 ounces short. A.—This book shows 984 and that card shows that, but that is wrong.

Q.—Who wrote that—984 ounces? A.—I think it was Mr. Parks; I could not tell you which. I did not keep this at all.

Q.—Do you see the figuring on there? A.—Yes.

Q.—And he has arrived at 984 ounces short? A.—Yes.

Q.—And your book shows in your shortage—you would show that as 984 ounces, wouldn't you? A.—Yes, it shows here as that.

Q.—As a matter of fact, there were not 984 ounces? A.—No, there could not be, according to that card.

Q.—You are not pretending to say that this book shows anything wrong when it is purely a question of extension?

MR. EWING: I do not like it any more than you do. A.—Add this up and see what it makes.

MR. EWING: 37. A.—The man is right, and you are wrong.

Q.—The addition, 39.1 is correct? A.—Is it? I can't see that.

Q.—The addition is correct? A.—Yes.

Q.—The number of gallons in the barrel is correct? A.—Yes.

Q.—And it is entered in your book and on your card as 984 ounces short? A.—Yes.

Q.—And in your general statement of shortages, you would show that as 984 ounces short? A.—Yes, according to the book.

Q.—That would be six gallons short as shown by your books? A.—On that particular barrel.

Q.—You think that was the exact shortage, do you? A.—Oh, I think that the difference between this and the barrel is the exact shortage.

Q.—Well, seeing that the difference between the quantity withdrawn and the original amount shows less than that—shows less than four gallons, you have actually entered in your book as 984 ounces, as the official shortage? A.—Well, I can't give any account for that because that is not my work at all. I do not enter it in the book at all.

MR. MACKAY: You say "You" have entered it. And he did not.

MR. EWING: Well, I only say —

MR. MACKAY: It is extended wrong, and bank clerks even extend things wrong sometimes, all the world over.

MR. EWING: I know exactly what the witness said, and what I am asking about, and I think the witness and I can get along without your suggestion.

THE CHAIRMAN: Mr. Webster did not keep these books, and if you are going into that you had better get the man who kept the books.

MR. EWING: You did not keep the books? A.—No, and I did not keep the cards, and I did not doctor the liquor.

MR. MACKAY: And you did not make the mistake in extension? A.—No.

MR. EWING: And you are Vendor in the City of Edmonton? A.—Yes.

Q.—And you produced these books this morning for the information of this Committee? A.—Yes.

Q.—And you gave evidence as to these being your official books as Vendor? A.—Yes.

Q.—And I am directing your attention to this card, and I am pointing out that this card shows that in that barrel there are 984 ounces short? A.—Yes, that is what that card shows.

Q.—That is the amount which would be entered in your books as being the official shortage?

A.—That is the amount entered in this book as being the shortage—yes.

Q.—Can you account for the fact that the difference between the quantities withdrawn and in the original contents is different from the 984 ounces? A.—I could not account for it in any way, only that the man who made that up did not do it correctly. That is all there is to it.

Q.—Will you say that that is a wrong statement? A.—I would think so. I would think so, taking that card as the basis, it would certainly be wrong. It would only be about three gallons.

Q.—Can you follow those figures? They are not your figures, are they? A.—They are not mine. There is an error there. It should be 25.20 in place of 29.20, in multiplication. I really do not understand it.

Q.—You cannot explain that? A.—No, I cannot explain it, Mr. Ewing.

Q.—Evidently the person who kept the books and who made up this card came to the conclusion there were 984 ounces short in the barrel? A.—Well, I would suppose so. I do not know that he did, you know.

Q.—Will you say that in a barrel of alcohol there could be over six gallons short? A.—I have never known but one case and that was in my own business in Westport. It was 7½ gallons short, but whether it was leakage, or not, I don't know.

Q.—If there were 7½ gallons short, there would be a leakage? A.—I would think so.

Q.—Who can explain this 6 gallons? A.—The man who wrote that book.

Q.—Who wrote it? A.—I think Mr. Clarke wrote it.

MR. MACKAY: Do you really think it needs explaining?

MR. EWING: Seeing that the Vendor cannot explain it. A.—Well, I cannot explain it because I did not write it at all.

Q.—Take another one; look at that, will you!? A.—Special rye, 104 ounces short.

Q.—These are not your figures? A.—No. None of them are my figures.

THE CHAIRMAN: What dates are those cards?

MR. EWING: March 13th, 1919.

THE CHAIRMAN: Well we are not —

MR. MACKAY: These books did not begin until January. They are under the new system. I was only illustrating.—

THE CHAIRMAN: But we are not enquiring into the 1919 accounts at all, you know.

MR. MACKAY: It is perfectly plain that the man who was measuring that liquor out is not a good mathematician and made a blunder in extending. He is likely a good liquor man, but he is not a good clerk.

MR. EWING: You sometimes draw off more than the barrel shows to be in it? A.—I don't think it is possible.

Q.—That is you do not think it is possible? A.—I do not think it is possible to draw out any more than is in a barrel.

Q.—You do not think it is possible to draw more than is indicated on the barrel as being in it? A.—I do not think it.

Q.—Have you ever known a case of that happen? A.—No, I have never known a case of that kind.

Q.—I will direct your attention to this one of January 24th. There is this description "This cannot be correct as this bill shows more than shipped in excess." Did that come to your attention? A.—It did.

Q.—And perhaps you can give the Committee an explanation as to that? A.—It shows that 276 ounces over what is in the barrel, and the barrel was said to contain 40.9, and the only explanation I can give to you, or this Committee, is this, that the person who wrote those figures down there—that is what was taken out of the barrel, 40.9, that they put down more, they made an error and put down more than they took out of the barrel.

MR. MACKAY: Suppose instead of containing 40.9, it contained 40.2 before it was shipped to the Vendor? A.—Yes.

MR. EWING: And there have been cases according to your personal knowledge where you drew more than the barrel shows it contained? A.—Well, there might have been a mistake, as Mr. MacKay said.

Q.—But I am just pointing out that you have over-pluses as well as it appears in your books? A.—I know what you mean.

Q.—Your books would show officially 40.9 gallons? A.—Yes.

Q.—And your books do show 42 gallons 2 quarts and 1 pint? A.—Yes.

Q.—And there would be that much more liquor which you sold than you actually received? A.—If the man who entered this down did not make a mistake in the figures.

MR. MACKAY: What is this?

MR. EWING: These are your records. I am pointing out in your records you have an over-plus? A.—Yes.

Q.—Have you any more cases of that kind? A.—Well, I will look it over and see.

THE CHAIRMAN: I do not think we will allow any more enquiry into these cards until the Auditor has checked them over correctly.

MR. MACKAY: This is not in the field we are covering, anyway.

MR. EWING: Well, it is not the simple mistake in addition that is suggested here.

MR. MACKAY: The man's multiplication here is plain. In barrel 318, alcohol, the book shows 42.9 gallons as the amount that came to the Vendor. It shows 39 gallons 1 quart as the amount that was actually measured out; but in extending it, the difference which is plainly there the ounces are wrongly extended as 984. The man's figures are on the card. He multiplies 42 and makes it 29, and here is 400 ounces out there, and that accounts for the wrong extension. It is plainly a mistake in extending—what occurs to bank clerks and everybody else. All the detail is there.

MR. EWING: Well, it is not all here, and this explanation does not explain it at all. There is 144 added there. I do not know what his method of arriving at that is.

MR. McCALLUM: That is 169, multiplied by 9.

MR. MACKAY: That is plain enough there.

MR. EWING: There is nobody trying to conceal things.

MR. MACKAY: Go on; I won't say any more.

MR. EWING: I won't, either.

THE CHAIRMAN: We are getting into a row over 1919 accounts that we have no right to go into. We are here as a Committee going into 1918 accounts.

MR. MACKAY: Let us be fair to Mr. Webster. He has been charged with shrinkages, breakages, and so on. He tells us that under the old system there was no check and under the new system there is, and every breakage and shrinkage is attempted to be charged up so he won't

be charged with them, and I thought he ought to be allowed to explain it. But I did not intend to go into these little minutae.

MR. EWING: Take this application, dated the 7th November. Whose writing is that "As November 8" in lead pencil? A.—Mr. Thompson's.

Q.—Do you know anything about this personally? A.—Yes.

Q.—Do you remember that particular order? A.—I remember that particular order.

Q.—Do you remember the filling of it? A.—No.

Q.—You do not remember the filling of it? A.—I do not remember the filling of it nor the the delivery of it.

Q.—You do not remember anything about that? A.—No.

Q.—You say you got a cheque for that on November 7th? A.—On the evening of the 7th.

Q.—What time in the evening of the 7th? A.—Oh, I could not tell you that. It was along late in the evening, about 5 o'clock. That is filled in by me.

Q.—It was after — A.—It was after 4 o'clock. It was after 4 o'clock. That is my writing there. I usually did that so as to get it in about the time the application was made. It must have been perhaps between 4 and 5 o'clock. It must have been after 4 o'clock.

Q.—Can you recall the occasion now? A.—Well, I have a memory of it, but any special thing—I noticed this here, "See if he did not pay \$10 too much."

Q.—That recalls the transaction to your mind? A.—Yes, a little.

Q.—Did you write that in at the time? A.—I wrote this in on the 8th—on the morning of the 8th.

Q.—Had the goods gone out then? A.—Oh, the goods, I can't say whether they went out—what time of day they went out on the 8th. I don't know.

Q.—But you wrote this in in the morning, you say? A.—Yes, well, when this came back—whenever that came back.

Q.—This came back the night before didn't it? A.—Oh, no, it did not. Mr. Boudreau brought that down to me the evening of the 7th. Then he brought that back to have Mr. Rowland take the affidavit, and I do not know exactly when this came back.

Q.—Whether it was the same evening? A.—I know it could not be the same evening because I left. It did not return to me till the next day. You understand that when he would get this filled out here then he would take it up to have Mr. Rowland swear to it. It is sworn to on the 8th.

Q.—And you said it was signed by the applicant at 4 o'clock? A.—No, I did not say that.

Q.—I am reading from the document. You say that is not correct? A.—When I saw it it was some time after 4 o'clock on the evening of the 7th.

Q.—The date you filled in here, signed by the applicant at blank o'clock is the date on which you received the unsworn document? A.—I did in very many cases that way.

MR. MACKAY: What is that?

MR. EWING: The hour he fills in in many cases is the time when he receives the blank document, and before it is sworn.

MR. MACKAY: Is there an hour on that?

MR. EWING: Four o'clock. Now, can't you place by the reference "See if he did not pay \$10 too much"—can you place the time by that memorandum? A.—No, it must have been on the 8th, but I would not like to swear what time it was. It was when it came to my attention in the books.

Q.—There is nothing in any of your records to show when goods are delivered? A.—No, not at any particular time. We keep a record of shipping goods only, but other goods might be delivered at any time through the day.

Q.—Would there be anything in Mr. Thompson's records that would show? A.—I do not know. He was only there during the busy time to help keep track of things. I did not have any help there. I was all alone, and I could not sell a couple of thousand dollars worth of goods and pack it up myself. I could not do it.

Q.—And you have no recollection of the delivery of this stuff? A.—No, I have not.

Q.—Could it have been delivered on the 7th? A.—No, it would not be.

Q.—It was paid for on the 7th? A.—It was paid for by cheque on the 7th, and the jurat here, as you pointed out was on the 8th. It could not be sworn to until the 8th, and it could not be brought down again until the 8th in any case, and I don't know what time of the day it was filled. It might be filled at any time up to six o'clock, on the 8th. But I do not know who filled it.

Q.—And "As November 8th." You do not know why that is written? A.—No.

Q.—That is Mr. Thompson's writing? A.—That is Mr. Thompson's writing.

Q.—He is the only man that could explain that? A.—Yes.

Q.—You mentioned the Auditor's report. I suppose you take no exception to the Auditor's report, do you? A.—Well, the only exception I take is this, that there would be a shortage up to the 6th, but an over-plus over the rest, because for some of the cheques some of the goods were not filled and charged up to me until after the 6th.

Q.—But the Auditor's findings of fact are correct. You do not dispute them? A.—I don't know. I have never gone over them. I never got a report of the Auditor until very shortly.

Q.—You did not see the Auditor's report? A.—No, I did not. I did not know they were auditing my accounts.

Q.—I think you are entitled to a copy. You knew he pointed out certain shortages in the cash of July, August and September? A.—Yes.

Q.—Amounting to \$80? A.—Yes.

Q.—You made a special deposit? A.—Mr. Forster drew my attention to that.

Q.—And you covered that up with a special deposit? A.—\$80, yes.

Q.—You took that out of the till, did you? A.—Yes.

Q.—How did you arrange that in the books? Your till would be \$80 short? A.—No, it would not. I always had a surplus of money on hand.

Q.—Where did that come from? A.—Well, here, take it here—the other day, I thought that perhaps you would ask that question, so I figured it out for you there. This is April 1st, here, the other day, and I took it off the cash book as kept by the clerk —

Q.—The dates which show— A.—April 10th, \$3,059.20, deposit \$2,715, and there was in the other the difference between those two, and so on, all the way through.

Q.—I notice your deposits are much less than? A.—True, because we have been carrying money over from —

Q.—What do you carry money over for? A.—We have to carry it over for what is not filled.

Q.—But the only money you do carry over is orders not filled? A.—Orders not filled.

Q.—And if the orders were not filled that would account for all the additional money? A.—All the money except the \$10.

Q.—Was this \$80, orders not filled, June, July, August and September, that were not drawn to your attention till the 29th of September? A.—As I show you here, I had plenty of money lying in the safe belonging to the Government, and that particular case you speak of, an error in addition in depositing the money, I deposited that much less than those books show for. These show for a certain amount.

Q.—And then you just—that \$80 you had in the till all along? A.—Certainly.

Q.—And you did not check up to see whether or not your unfilled orders account for the money in your till, did you? A.—Sometimes I did at that time. I had no cash book at that time.

Q.—If you had done that at any time during those months, you would have discovered an over-plus of \$80? A.—How an over-plus?

Q.—You had an over-plus which you should have deposited, but did not? A.—Yes.

Q.—And that would be in the till? A.—Yes.

Q.—And that \$80 did not represent unfilled orders? A.—No, it did not represent unfilled orders.

Q.—And you did not check up at any time during those months the unfilled orders? A.—I did occasionally check the list of unfilled orders, to keep a tab on the cash. I took the unfilled orders to see if they would correspond with the cash that I had in the safe.

Q.—Did you discover that \$80 at any time during those months? A.—I can't say that I did. I can't remember if I did. But occasionally I took and checked it over to see if the money was very near what it should be or not. That is the only check I had on it.

Q.—What I don't understand is that after you drew the \$80, you still had other money? A.—Yes, other money.

Q.—Accounted for by unfilled orders? A.—No.

Q.—Then, on the 29th of September, the condition of your cash till was this, there was \$80 representing the mistakes in addition, and the balance of the money that was not deposited as of that date was the money that represented unfilled orders? A.—On what date?

Q.—On the 29th September, or the date on which you made that deposit? A.—Yes, I always had money ahead.

Q.—Always money ahead? A.—Yes.

Q.—In addition to the money that represented unfilled orders? A.—No not in addition. But unfilled orders—you will understand, sometimes they were not filled for four or five days, and the money was lying there.

Q.—I understand that. But in addition to unfilled orders, you had no other money in your till? A.—No other money in the till.

Q.—Except during the months of June, July, August and September when you collected \$80? A.—I collected?

Q.—There was \$80 in your till? A.—Yes, \$80, or more.

Q.—How could there be more? I am speaking outside of unfilled orders? A.—There should not be any more.

Q.—But during those months there was? A.—No. Let us understand each other—there was more money in the till?

Q.—Outside of unfilled orders? A.—Well, I can't say accurately. I cannot answer that question. What I mean to say is this, that the unfilled orders should represent the cash in the till from day to day. And if an order had not been filled for a week, the cash would be in the till.

Q.—And I am going back and pointing out to you that under the auditor's report there was \$80 which should have been deposited which was not deposited? A.—Yes.

Q.—That money was in the till? A.—Yes.

Q.—So that during those months how much money would be in the till in addition to the money representing unfilled orders? A.—No, I could not say how that would be.

Q.—You can't, eh? A.—No.

Q.—Where was the \$80, then? A.—In the till.

Q.—It did not represent unfilled orders? A.—What is the difference whether it represented unfilled orders or shortage, in the addition? I should have put more money in. I should have put that \$80 in, and it was lying in the till.

Q.—That is what I wanted to get at? A.—Yes.

Q.—Was that the only time there was money lying in the till that did not represent unfilled orders? A.—No, I think there was some other times.

Q.—What would that be? A.—I do not know from memory, unless I looked at these daily sheets. I checked these over for mistakes in addition.

Q.—And your statement is that the exact amount that you were short, the \$80 that you did not deposit, remained in the till? A.—Until I did deposit it.

Q.—And the \$80, plus the amount that represented unfilled orders, showed the total amount in your till? A.—Now, wait until I get that through me. Repeat it slowly.

Q.—The \$80 which you should have deposited, and did not deposit, was in the till? A.—Yes.

Q.—Together with the money that represented unfilled orders? A.—Yes.

Q.—And there was no other money in the till? A.—There was no other money in the till.

Q.—And no less? A.—Oh, well, I won't say. In making change I have often made a mistake of a few pence.

Q.—Well, I am not speaking of the pence. A.—That is right.

Q.—And that surplus was not all there in September; \$20 in July, and \$20 in August? A.—Yes.

Q.—And you did not discover that until the 29th of September, when Mr. Forster drew it to your attention? A.—Well, he drew it to my attention before then.

Q.—When was that? A.—Well, I do not know, except by a look at these letters. When he drew my attention to it, I immediately drew it out of the till and made a special deposit of it.

Q.—And that cleaned up everything except the unfilled orders? A.—The unfilled orders, yes.

Q.—Had you anyone taking charge of your books during that time? A.—No.

Q.—You did not take that \$80 from any other source but the till, did you? A.—No, I had no other source to take it from.

MR. MACKAY: You remember about this other order. I think it was an order for \$463; you told us you got that on the 7th? A.—Yes.

Q.—Did you get both of these on the same day? A.—Yes, I did.

Q.—And then you say this one you are speaking of to-day was filled when? A.—On the 8th.

Q.—And you told us before on your evidence that this other one was filled on the 9th?

A.—On the 9th, yes.

MR. DAVIDSON: About that 31 gallons of condemned liquor. What do you know about that, about the analysis? A.—Mr. Forster put out goods for me to sell, and the greater part of it was—there was 31 gallons.

Q.—Mr. Douglas said you did not know this was being analysed? A.—No, I did not.

Q.—There is a sheet—you will see what that is. That makes 31 gallons. After the time Mr. Forster made the transfer to Mr. Douglas, were there certain liquors that were not saleable? A.—Yes, there was.

Q.—Tell us how you know that and what you know of it? A.—There was two or three parties brought back liquor.

Q.—Can you name any of them? A.—McCord is one; he bought a gallon of Scotch whiskey which he had paid me \$9 for, and the cork was drawn on it, and he brought it back.

Q.—What do you mean by drawn on it? A.—The seal was broken.

Q.—He had broken it, I suppose? A.—Yes.

Q.—What did he tell you? A.—He said it was no good. He asked me what I thought of it, and I poured a little of it out and looked at it, and I said, "This is no good, doctor."

Q.—Can you tell us anything about where that liquor came from? A.—It was sold by me to Dr. McCord.

Q.—Where did it come from? A.—I don't know.

Q.—Who gave it to you? A.—Mr. Forster.

Q.—Can't you tell us whether it was liquor he bought? A.—Oh, I don't know. I never went in the room unless he specially asked me.

Q.—Take confiscated liquor? A.—Yes.

Q.—Would it be in his ordinary ware room? A.—No, he had a separate room for confiscated liquor.

Q.—Mr. Douglas explains what he was doing. Do you know whether Mr. Forster did the same? When liquors are confiscated, and what looks good, and no seals broken, they would be taken over into the stock—do you know if Mr. Forster did that or not? A.—He did it on a few occasions. And I don't know of any, only one occasion on which Mr. Douglas did it.

Q.—Can you explain why that liquor is as bad as the analyst states it to be? A.—I don't know, I can't say it.

Q.—How long were you in the Vendor's store? A.—From the 22nd of July, 1916.

Q.—Now, go back. In 1916 and 1917, if you like. Did you have any bad lots like that?

A.—Yes.

Q.—You had some bad all the time? A.—Some bad in the stock he gave me.

Q.—Can you say where it came from? A.—I do not know. I thought it came from Nat Bell.

Q.—Why do you think that? A.—Because it was Edmonton Metropole Wine and Spirit Co.

Q.—Nat Pell was running a wholesale liquor store here then? A.—Yes.

Q.—What I am trying to get at is whether you can tell us if you have any means of knowing where that liquor came from in that state, or not, to Forster? A.—Oh, I don't know that. I don't know that at all. He used to bottle it up and put it in jars in his own room, and I did not handle it until I got it sealed.

Q.—What do you mean by that? Did you seal it? A.—No, I did not seal it. He would put the seals on it.

Q.—And he would hand it out to you with the seal he put on? A.—Yes.

Q.—And back of that you do not know? A.—I do not know what was done with it.

MR. EWING: Was all this liquor which you spoke of as being bought bottled by Forster in his warehouse, or could he have bought it in that way? A.—I don't think he could have bought it in that way, because the sealing wax he used was resin and paraffin wax, and he bought a little thing to heat it with, and he used to take a spoon and seal it over that.

Q.—That is all the liquor you described as bad liquor is the liquor that was under his seal?

A.—Oh, yes.

Q.—It was not any liquor — A.—Well, we got some Scotch whiskey from a firm in Montreal that I objected to sell. That was Thompson's Scotch Whiskey. Well, there is no such thing as Thompson's Scotch whiskey that I could ever learn of.

MR. MACKAY: When was that? A.—That must have been the last of August, or the 1st of September, somewhere along there.

Q.—Of 1918? A.—Of 1918, yes.

Q.—Did you sell that Thompson's stuff? A.—Well, I did sell it, and some of it was brought back.

MR. DAVIDSON: Is that in that list? A.—No, it is on my shelves.

MR. EWING: Is it there yet? A.—Yes.

Q.—And this stuff that was marked as the Metropole Wine and Spirit Company's goods, how do you know it was their goods? A.—Nothing only I saw the card on the bottle.

Q.—It had the seal of Mr. Forster? A.—Which are you speaking of now? Don't mix it up.

Q.—The Metropole Wine and Spirit Company's goods that you saw marked in your store—what shape were they in? A.—One was a barrel, and the other was a keg of rum.

Q.—Well, take the barrel. That, of course—Mr. Forster did not draw that off and sell it? A.—No, and I objected to selling it because I did not believe it was good.

MR. MACKAY: What became of it? A.—I think, eventually, it was all sold when we got short.

Q.—Was it part of this? A.—Oh, no, no.

Q.—But when you got short, you sold it? A.—Yes.

MR. EWING: You told Mr. MacKay that at intervals there was stuff that came to you under Forster's seal which you considered unsaleable? A.—I did.

Q.—Did that happen often? A.—Well, I can't recall very many cases, but there were quite a number.

Q.—What happened in these cases, generally speaking? A.—When I found fault about it, he would take it back and put it in his room again and give me credit for it.

Q.—And you do not know what ultimate disposition was made of it? A.—I do not know, no.

Q.—Did you ever have any discussion with Mr. Forster about this unsaleable liquor? A.—Do you mean by discussion, objection to selling it, or what? I objected to selling it, to Mr. Forster.

Q.—What did he say? A.—He said we would have to try and get rid of it.

Q.—Did he ever explain to you how it came to be in that condition? A.—He did not know—never said very much.

Q.—And you never asked him? A.—No. But I simply said to him I would not sell it and I think, if I remember right, that Mr. Douglas asked me something about it, and I told him I utterly refused to sell that class of liquor, and I would not do it for anybody, because doctors and other men came in and asked me—I don't know whether they thought me a judge or not—but I think I am myself, and I utterly refused to sell trash to anybody.

Q.—And you told Mr. Douglas that? A.—I think I told Mr. Douglas, if my memory serves me right.

MR. PINGLE: There is no question but what some of that liquor was sent out on requisitions made by druggists—some of that poor liquor? A.—I think so.

Q.—The reason I ask that is, I think in a question Mr. Ewing asked Mr. Forster when he was on the stand, wasn't it possible, or did he think that druggists, perhaps, diluted liquor, and he said he thought so, and I asked him if he had any reason for making that statement, and he said, oh, no. Isn't it possible that some of the liquor that was complained of received by the druggists

—wasn't it some of the liquor the druggists refused from the Vendor, and if you refused to sell it, and wasn't that the reason perhaps that the druggists were blamed in some cases for selling bad liquor? A.—Oh, yes, I think so.

Q.—It might have been changed in your store, and changed back? A.—Oh, it might be.

MR. DAVIDSON: Did you have this analysed yourself? A.—No, I did not.

Q.—You did not have it tested? A.—No.

Q.—About Dr. McCord. When did he bring back that liquor? When was that incident? A.—Oh, it must have been last fall, or sometime in the winter.

Q.—Did you mention that to Mr. Forster? A.—Yes, I did.

Q.—What did he say about that? A.—He did not say anything.

Q.—Did he take that liquor back? A.—No, I have it there yet.

Q.—How long was this 31 gallons in stock? When did it come in? A.—That I could not tell you, either.

Q.—Well, about when? A.—Well, I don't know anything about it only what I have got in the Vendor's store. I don't know anything about what Mr. Douglas has.

Q.—Well, that 31 gallons? A.—I know I haven't got 31 gallons of that.

Q.—You are supposed to have 14½? A.—Well, perhaps I have.

Q.—When did that come in? A.—Well, I could not tell you. It may have been in for six or eight months.

Q.—Six or eight months to now, or before? A.—Yes, to now.

MR. MACKAY: You say he would take some of the liquor you did not approve of back to the wareroom. Would it be possible to mix that with good strong liquor and make a decent mixture? A.—You can't make a good liquor out of any diluted or dirty stuff. You can't do it. If liquor is bad, it's bad.

MR. EWING: There was some suggestion about Mr. Forster saying he put this liquor into bottles. He did not bottle any of it? A.—Oh, yes, he bottled up liquors.

Q.—And he put others in jars? A.—Yes.

Q.—Was the bad liquor in jars, or in bottles, or both? A.—Well, there was bad liquor in both.

Q.—In both jars and bottles? A.—Yes.

Q.—And all under Mr. Forster's own seal? A.—Yes.

Committee adjourns till 10 a.m., Friday, April 11, 1919.

FRIDAY, APRIL 11, 1919.

Committee resumes.

MR. EWING: I think we had better get this Boudreau business disposed of as soon as we can. I do not know what the views of the Committee are, but I should think the reasonable way to do would be this, that we present a report. If we cannot agree upon a report, then there will have to be, I suppose, a vote in this Committee, but, as far as a discussion is concerned, it does seem to me to be a waste of time to discuss this matter here and then go over what will be the same discussion, because it is not one of those things upon which there could be much fresh matter—it is a narrow thing. The only thing I think about the vote here, the probabilities are if it comes to a vote that all the members of the Committee will want to record their votes, and I think we ought to give some notice to them so they can be here at the time fixed for voting.

MR. MACKAY: They know there is a meeting called for this morning.

MR. EWING: I do not suppose they knew this thing would come up this morning.

MR. MACKAY: I understood it would be the very thing that would come up. They will have a better chance of recording their votes in the House.

MR. EWING: Well, this is one of the things I refrain from speaking on. I do not care to express views for other people.

MR. DAVIS: I think we had better adopt Mr. MacKay's views this morning.

MR. MACKAY: I move, then, that we go on and finish up the Boudreau matter.

THE CHAIRMAN: Is it agreed?

Declared carried.

MR. MACKAY: Well, I have a report here. I do not know whether anyone else has another one. I move that this be the Committee's report —

THE CHAIRMAN: These are the Rules of the House. Rule 197 reads: "The Sittings of Committees shall be open to the public, but the committee shall sit in private to prepare and consider its report."

MR. MACKAY: Well, then, you had better follow the rules, seeing you have quoted them.

THE CHAIRMAN: Well, then, those who are not members of the Committee, and also newspaper reporters, had better leave the room.

List of names of members of Public Accounts Committee called by Chairman by way of checking over those members belonging to this Committee.

MR. HOADLEY: I think, perhaps, it would be as well if you wrote down on a piece of paper the names of the absent members of the Committee, so that if they should desire to come in later on they can be admitted.

THE CHAIRMAN: All right, I will do so.

MR. MACKAY: I will read this report then. (Reading) "Report of the Standing Committee on Public Accounts as to certain matters referred to the Committee on the 21st day of March, 1919. To the Legislative Assembly: On the 21st day of March, 1919, the House instructed your Committee to investigate the truth, or falsity, of the statements of Mr. Forster, contained in the following portion of a letter, dated November 25th, 1918: 'On Friday afternoon, the 8th instant, when our mutual friend, the member for St. Albert, who was not a privileged person within the meaning of the Liquor Act, purchased in the Vendor's store some 'four hundred dollars' worth of liquor, and after delivery being refused without payment by one 'employee, he was allowed to remove the liquors from the store, without payment. I think the 'transaction involves two infractions of the Liquor Act. I happened to be in the store with two 'auditors turning over the stock to my successor in office. A person would have to be both 'lacking in honour and recreant to the duties of office to condone and palliate the doing of 'Government business along such lines.' and to report to the House with all convenient speed.

"Your Committee has taken the evidence of the following witnesses: M. M. Downey, "M. J. Rowland, R. B. Douglas, W. J. Webster, F. G. Forster, J. H. Binns, H. H. Richards, and "Wm. Thompson, being all the witnesses who presented themselves for examination, or who were "called by the Committee. In effect, there are two statements contained in the above excerpt "from Mr. Forster's letter, namely:

"1. That the member for St. Albert, 'who was not a privileged person, within the meaning "of the Liquor Act, purchased' liquor from the Vendor's store.

"2. That 'after delivery being refused without payment by one employee, he was allowed to "remove the liquors from the store without payment.'

"The evidence shows conclusively that the member for St. Albert (Mr. Boudreau) is a shareholder in the Dominion Drug Company, Limited, a company then carrying on the business of chemists and druggists in the City of Edmonton, and that M. J. Rowland, a regularly qualified and registered druggist of the Province of Alberta, is also a member of the Company, and was manager of the drug store, and, therefore, that the said drug store was entitled, under the Alberta Pharmaceutical Association Act, to regularly carry on business, and that Mr. Boudreau, in all transactions with the Vendor merely acted for the company and not personally, and, therefore, was entitled to purchase liquor from the Vendor, and the Vendor was entitled to sell and deliver the same to him in that capacity under the terms and requirements of the Liquor Act.

"As to 1, the question, therefore, as to whether Mr. Boudreau, personally, was a privileged person or not, does not arise, under the circumstances.

"As to 2, it is only fair to Mr. Forster to say that during the discussion in the House on the question of the reference to the Committee, a telegram was read by the Premier from Mr. Forster, in which he stated in effect that he knew nothing of the facts personally, but that he made this statement on the strength of information given him by Mr. Downey, and reading the information given in the telegram into the above excerpt, there was not then, and is not now, any direct issue between Mr. Forster and Mr. Boudreau as to the correctness of the statement, and Mr. Forster is, therefore, relieved of the onus of proving the truthfulness of, as also the responsibility for originating, the statement. The evidence disclosed that Mr. Downey did tell Mr. Forster, in effect, that Mr. Boudreau asked for credit for a day, and was refused by him, and that notwithstanding this, the Vendor gave Mr. Boudreau the liquor on the 8th of November. As to whether credit was asked for, or not, and liquor delivered before it was actually paid for, your Committee accepts unreservedly the evidence of Mr. Webster, the Vendor, who produced the Dominion Drug, Limited's, cheque of date, November 7th, given in payment of the said liquor, and who pledged his oath that he received the same on the 8th, that upon the blank requisition for the liquor which Mr. Boudreau brought to the Vendor's shop, and which was signed by Mr. Rowland, the chemist, he wrote in his own handwriting, such liquors as he could conveniently furnish, the liquor stock being somewhat low, with the prices thereof, and upon the price being thus determined, Mr. Boudreau gave him a cheque for the amount, that Mr. Boudreau then took the requisition, so partially made out, away to have it sworn. The evidence and exhibits show that subsequently the requisition, properly filled in and regularly sworn to, was returned to the Vendor's shop, and the liquor delivered. The said cheque and the incomplete requisition were duly identified and made exhibits, and are attached to the original copy of the evidence.

"Your Committee is further influenced by the fact that it would have been absurd for Mr. Boudreau to have asked for credit for the drug company, in view of the fact that Mr. H. H. Richards, assistant manager of the Royal Bank, where the drug company kept its account, produced the bank book and showed, in addition to an untouched two thousand-dollar line of credit at the bank, which the drug company had, the following balances on the following dates, namely:

"November 1st.....	\$1,222.59
"November 2nd.....	1,487.78
"November 4th.....	547.85
"November 5th.....	966.55
"November 6th.....	1,200.60
"November 7th.....	1,517.39
"November 8th.....	882.69

"November 11th.....	\$648.19
"November 12th.....	2,283.28
"November 13th.....	2,501.18
"November 14th.....	2,518.16

"In addition to this your Committee point out that it would be extremely improbable that Mr. Boudreau, on behalf of the Company, should ask Mr. Downey, who was an absolute stranger to him, and who was employed only for a few days in the shop, for credit for even one day when Mr. Webster was in the shop, and think it very peculiar, and very strange, indeed, that Mr. Boudreau, while Mr. Webster was present in the shop, should, in effect, say to Mr. Downey that Mr. Webster was in the habit of giving him credit. Mr. Downey does not pretend to give the exact words of either what Mr. Boudreau said to him, nor yet what he told Mr. Webster. He makes it clear that whatever occurred was not taken seriously, because in answer to a question, he simply says, 'Just simply that we did not take it to be very serious at all' and when asked as to the exact words, he says, 'I can't remember; I never thought about it; the thing was forgotten to my mind until I saw Mr. Forster's telegram, and never expected to be here for one minute.' Mr. Webster has no recollection of Mr. Downey calling his attention to anything of the kind, and in the face of Mr. Webster's pledged oath that he did not give credit, and the exhibits already referred to, your Committee has no hesitation in coming to the above findings.

"Your Committee, however, as already indicated, finds that there was any real issue between Mr. Forster and Mr. Boudreau, and feel that the time of the Committee and the money of the Province would be wasted unless some benefit is obtained from what was really a lengthy and minute investigation of the Vendor's shop, and the Vendor's dealings with druggists generally.

"As a result, therefore, of this prolonged investigation, and of common knowledge as to the readiness in many quarters to evade the requirements of the Liquor Act, your Committee recommends to the Legislature as follows:

"1. That the system adopted by the present Attorney-General, namely, of purchasing liquors in sealed packages, and refusing to allow the same to be tampered with, reduced or watered, to the end that patients may receive liquor when prescribed as pure as when bottled by the distiller or manufacturer, should be continued and rigidly carried out.

"2. That to all physicians, the Department should supply in serial numbers prescription blanks on paper, and with markings numbers that cannot be imitated, and that physicians be placed under a heavy penalty if, with reference to liquor, they use any other form of prescription.

"3. That all druggists must forward to the Department such prescriptions monthly, and that the liquors in all drug stores, at least in the cities, be checked up monthly, and the accounts strictly audited, and every ounce of liquor from month to month accounted for.

"4. That the law should be changed so that the Government would be given power to control the price which druggists shall charge for liquor, and which price should not permit of more than a reasonable profit.

"5. That the law should also be changed so that in case of failure on the part of any druggist to comply with any requirements of the Liquor Act, he should, in addition to being subject to the penalties provided for by the Liquor Act, be also subject, upon a second conviction, to have his name struck off the roll of registered chemists and druggists, and that his name should be so struck off, and that where the drug business is carried on by a partnership, or company, that the directors of the company and the several partners should also be liable to penalties under the Act.

"Your Committee report the evidence, including exhibits, to the House."

I move that that be the report of the Committee.

MR. EWING: Now, I have an amendment to move. I suppose I had just better read the report which I propose tendering as an amendment to the report which has been presented by Mr. MacKay.

(Reading): "That in the opinion of this House the Report of the Public Accounts Committee laid on the table of this House on the 11th day of April, 1919, concerning the truth or falsity of certain statements contained in an extract from a letter written by Mr. Forster to the Honourable Mr. Boyle, dated the 25th November, 1918, does not properly state the conclusions to be derived from the evidence and that the following conclusions should be substituted for the conclusions contained in the report presented by the said Committee.

"Your Committee have taken the evidence of the following witnesses: Mr. M. M. Downey, Mr. M. J. Rowland, Mr. R. B. Douglas, Mr. W. J. Webster, Mr. F. C. Forster, Mr. H. W. Binns, Mr. Wm. Thompson, and Mr. H. H. Richards, being all the witnesses who presented themselves for examination, or who were called by the Committee.

"It is to be noted that several statements are contained in the extract from Mr. Forster's letter. The reference to The Liquor Act, and the duty of an employee under the circumstances named, are merely inferenced, and need not be dealt with by your Committee. Apart from these inferences, it is apparent that there are three statements contained in the extract referred to, namely:

"1. That Mr. Boudreau is not a privileged person.

"2. That Mr. Boudreau purchased certain liquor on November 8th, 1918, at the Vendor's store in Edmonton.

"3. That Mr. Boudreau was permitted to remove the said liquor from the said store without payment.

"As to the first question there is no doubt. Mr. Boudreau has not claimed to be a privileged person, and no evidence was adduced to show that he was such.

"The answer to the second question turns on whether the liquor was purchased by Mr. Boudreau, or by Mr. Rowland, or by the Dominion Drug Company, Ltd. The Dominion Drug Co., Ltd., is a company incorporated under the Companies' Ordinance, and carries on a drug store at Edmonton. Mr. Rowland, who is a registered druggist, states that he is the manager of the company's store, and that he holds one share as a registered druggist. He is merely a salaried employee, and was employed by Mr. Boudreau. He does not know who the shareholders, the directors, or the secretary-treasurer of the company are, and he takes his instructions wholly from Mr. Boudreau. Mr. Boudreau pays all the accounts. The cheque was signed with a rubber stamp bearing the words 'The Dominion Drug Company, Ltd.,' with Mr. Boudreau's signature written in ink. The applications in all cases were signed by M. J. Rowland, and in almost all cases were sworn before Mr. Boudreau. In most cases, the actual business in connection with the purchase of liquor was done by Mr. Boudreau. Outside one qualifying share held by Mr. Rowland, no one except Mr. Boudreau is shown to have any interest in the business, and the entire control of the business was apparently invested in Mr. Boudreau. The transaction in question was negotiated by Mr. Boudreau personally, and it was natural that Mr. Forster, in the letter describing the transaction, should speak of Mr. Boudreau purchasing the liquor.

"Your Committee, therefore, is of opinion that Mr. Forster was not substantially in error in stating that the member for St. Albert purchased the liquor in question.

"The third question requires a full review of the evidence. Mr. Downey swears that on the afternoon of November 6th, 1918, shortly prior to the closing hour, Mr. Boudreau came to the Vendor's store, and there made out an application for certain liquor on a form supplied by Mr. Downey. Mr. Boudreau then said he would send the cheque, together with the application, properly sworn, on the following day, but that in the meantime he wished to take delivery of the liquor. Mr. Downey replied that Mr. Boudreau could not have the liquor without the money. Mr. Boudreau replied that Mr. Webster did that for him. Mr. Downey thereupon further states: 'I said Mr. Forster may do so, but I cannot. I turned the matter over to Mr. Webster, and explained the circumstances.' Webster thereupon said in effect that it would be all right, and Downey then assisted in putting up the goods, and Mr. Boudreau remained until about 15 minutes later, when the goods were delivered to a messenger who was waiting for them. Two matters are conclusively established by the evidence, namely: That Mr. Boudreau asked Mr. Downey to be permitted to remove the liquor before paying for it, and that the liquor was actually taken away on the evening of November 8th. The former statement is not denied by anybody, and is corroborated by Mr. Forster, who says that Downey reported it to him the same evening, and complained very strongly about it. Mr. Forster, in turn, reported it to Mr. Douglas. The latter statement is established by Mr. Downey, and his statement is not contradicted. Both Mr. Downey and Mr. Thompson are entirely disinterested, and there can be no reason to doubt their veracity. There remains, therefore, only the question of the date of payment. A cheque, signed by Mr. Boudreau, as above indicated, for the exact amount of the order and dated November 7th, 1918, was produced, and Mr. Webster swore that this cheque was handed to him on November 7th. He is obviously mistaken about this because Mr. Boudreau would certainly not have made the request above mentioned if he had on the preceding day paid for the liquor. In addition to this, Mr. Thompson, who was acting cashier, swears positively that the cheque and the application were not received by him until November 9th. It seems clear, therefore, that the liquor was not paid for until the day following the delivery, and that Mr. Forster's statement in his letter is true.

"It should be noted that Mr. Boudreau at whose instigation this investigation was made, did not see fit to give any evidence under oath to contradict the evidence of Mr. Downey."

I submit that report as an amendment.

THE CHAIRMAN: We have a motion and an amendment to the motion. The motion by Mr. MacKay is that the report as he has read it be the report of the Committee in this matter.

Upon a division on the amendment being taken, 13 were declared in favour of the same, and 19 against.

MR. EWING: I move that the names of those who voted against the report of the Committee be recorded in the minutes of this Committee and attached to the report of this Committee to the House.

MR. MACKAY: I move that all the words after "that" be struck out, and the following substituted: "This Committee follow parliamentary procedure and do not record or report any dissenting opinions to the House."

Upon a division on the amendment being taken, 19 were declared in favour of the same, and 12 against.

MR. CRAWFORD: I move that the reporter be asked to lay his extended minutes to date on the table to-day, of this Committee.

MR. MITCHELL: Lacombe & Blind Man Valley balance will be handed in.

H. A. WARNER, called, and sworn, testified as follows:

MR. EWING: What is your position? A.—Provincial Railway Engineer.

Q.—And in your capacity as Engineer you certified to payments out of all moneys on account of proceeds derived from the sale of bonds? A.—I have not in the past—in my Department.

Q.—Who does that? A.—Mr. Douglas. He went out on the Waterways accident recently.

MR. MITCHELL: If you will name the day, say next Monday morning, we will be able to have everybody here. Give us a list of what you want on Monday morning, and we will have it. That is, of course, if Mr. Douglas can get back. A.—Mr. Douglas is at the end of steel on the Waterways.

MR. EWING: Have you any knowledge at all of the payments out of the various sums to the Alberta and Great Waterways Company? A.—Yes.

Q.—And you, I believe, superintend the operation of that? A.—Yes.

Q.—And you have, of course, a statement of the receipts and disbursements in connection with the operation? A.—I have.

Q.—They are kept separately? A.—Separately, yes.

Q.—And have you a statement of the receipts and disbursements on account of construction? A.—I have.

Q.—And you have the vouchers for them? A.—The vouchers.

Q.—Those can all be produced here? A.—Yes, sir.

Q.—You haven't them now? A.—They are all in my office. Of course, it is quite a bulky outfit.

Q.—You have sole control of the operation of the road? A.—Under the Minister, yes, sir.

Q.—Can you tell us, roughly, what the receipts on the operation of that road were during the year 1918? A.—I think they ran about \$25,000..

Q.—And what were your disbursements? A.—About the same.

Q.—That is, you just about broke even? A.—Yes.

Q.—You can furnish the exact figures? A.—Oh, yes, the exact figures.

Q.—I think it would be more satisfactory if he had the material here.

THE CHAIRMAN: Make a request of what you want and we will try and get it here for you on Monday? A.—Yes.

Committee adjourns till 10 a.m., Monday, April 14, 1919.

(Follows evidence taken week of April 7th to 12th.)

10 O'CLOCK A.M., MONDAY, APRIL 14TH, 1919.

THE CHAIRMAN: Mr. Douglas is not back from the A. & G. W. accident.

H. A. O. WARNER, being already sworn, was recalled and examined as follows:

THE WITNESS: Mr. Ewing, you asked for a statement of the operation for the past year and list of shareholders. (Hands papers to Mr. Ewing.)

MR. EWING: I would like to put these in. Have you a copy? A.—I have copies here.

Q.—Could you let me have a copy as well as putting one in? A.—I will keep it right by me for the time, Mr. Ewing, if you don't mind, to refer to.

Q.—Mr. Warner, you produce a statement of the earnings and operating expenses during construction from December 7th, 1917, to December 31st, 1918? A.—Yes.

Q.—And this is that statement? A.—That is the statement.

Q.—And that is correct as far as your information goes? A.—That is correct, yes.

Said paper put in and marked Exhibit 4.

Q.—You also produce a list of shareholders of the Lacombe & Blind Man Electric Railway Company, as at April 14th, 1919? A.—Yes, I shall sign that, Mr. Ewing.

(Said paper put in and marked Exhibit 5.)

I might say, Mr. Ewing, that those accounts are kept in the form prescribed by the Dominion Government.

Q.—With the regulations of the Railway Commissioners? A.—The Department of Railways and Canals.

Q.—The witness states these accounts are kept in accordance with the regulations laid down by the Department of Railways and Canals at Ottawa. I notice that your statement shows a net deficit of \$136.97? A.—Yes, sir.

Q.—That includes, of course, only the operation? A.—Operation, not overhead charges.

Q.—Have you a statement of the overhead charges? A.—I have not; no, sir, I have not. That will be the bonded interest plus bank interest.

Q.—Of what does your equipment consist down there? A.—One Mogul locomotive, one dinky locomotive, one gasoline, self-propelled car, one combination passenger coach, two speeders, two push cars, and two hand cars.

Q.—What did that gasoline, self-propelled car cost, do you know? A.—Originally, do you mean the first cost?

Q.—Yes. A.—The purchase price was \$27,205.60.

MR. MACKAY: What was that for? A.—The gasoline car delivered at Calgary.

MR. EWING: Gasoline self-propelled car.

MR. HOADLEY: And it cost something in addition to set up? A.—It cost in addition to set up, \$6,714.63.

MR. EWING: To set up? A.—To set up.

Q.—Six thousand dollars? A.—Yes.

Q.—What was the total, cost, then, set up? A.—The total cost, set up, was thirty-four thousand dollars?

Q.—Is it being used now? A.—No, it is not.

Q.—Why? A.—Well, we are changing the gearing on it to enable it to operate on the grades on this line, it wouldn't deliver the goods.

Q.—Do you mean to say it would not operate on the grades you had on that line? What gradients have you got there? A.—One per cent.

Q.—Do you mean to say this car won't operate on one per cent. grade? A.—Well, it didn't.

Q.—Well, you are an engineer; can you give us any explanations about that? A.—Well, my impression is that the — the makers of the car, apparently did not make allowance for the difference in altitude between sea level, or Great Britain, rather, and Alberta; in other words, the prime mover, the engine, does not deliver sufficient horse power to handle that car on these gradients at this elevation.

Q.—The car, then, is useless for the purposes for which it was intended? A.—No, sir.

Q.—It is not? A.—By altering the gear to increase its leverage, it will be able to push —

Q.—What will it cost to alter the gear? A.—It will cost—the greater part of the work of altering the gear has been accomplished, and the additional cost to complete that alteration will not amount to more than two hundred dollars.

Q.—What does it cost all told? I mean, what will be the total cost of altering the gearing? A.—Oh, possibly, around five hundred dollars?

Q.—And then is it your opinion that it will be an efficient car then? A.—For the purpose for which it was designed, it will, in other words, it will be able to carry passengers back and forth over the line.

Q.—Was it not intended for traction purposes? A.—The specifications does not call for it to haul any cars.

Q.—Just a passenger car? A.—A self-contained passenger car.

Q.—And when will it be in operation? A.—Well, in about one month from now, providing this express strike terminates before then. Understand, we had to send to England for certain essential parts of the transmission chain which we could not obtain on this side of the water at all, and because the war held the delivery up for a good many months; I understand they were shipped sometime last month and are now en route per express. As soon as that arrives, we will be able to complete the alteration of the gears in about ten days or two weeks.

Q.—Then you consider the investment a good one? A.—Well, I wouldn't say that, Mr. Ewing.

Q.—You wouldn't go that far? A.—No.

MR. MACKAY: Just on that point, Mr. Warner, who bought the car? A.—The Company —the original Company.

Q.—The old Company? A.—The old Company, yes.

Q.—And the Government took it over? A.—Exactly so, along with the line.

MR. EWING: Did you conduct the negotiations leading up to the purchase of the shares? A.—Solely, Mr. Ewing, or in part?

Q.—Well, in part, or solely? A.—In part, yes.

Q.—And what part did you take? A.—Well, by personal interviews to —

Q.—Well, first take — A.—Perhaps I had better answer the question; that is rather broad, too broad a thing for me to answer.

Q.—I will narrow it down a little bit. With respect to the 364 shares that were purchased from the promoters of the road, meaning by that Graham, (?) Allens, Macdonald and Strathey?

A.—Those have not been purchased by the Government; those are still —

Q.—Those have not been purchased by the Government? A.—No, sir.

Q.—Does Mr. Strathey still hold shares in the Company? A.—He does.

Q.—How many shares were owned by the promoters of the Company? A.—Well, roughly speaking, about 3,100 shares.

Q.—Where do they appear in this statement? A.—Well, Mr. Ewing, this is a list of the shareholders as at the present time. They are no longer shareholders, therefore, they don't appear there at all.

Q.—I see. Who negotiated for the purchase of those shares, the shares from the promoters?

A.—Mr. Mitchell, Mr. Boyle and myself, of course, in my capacity as employee of the Department.

Q.—You finally bought them for about 45 cents per share? A.—The average price.

MR. MACKAY: Is that from the promoters? A.—Well, yes, we call them promoters, Gibson and Taylor.

MR. EWING: You say the average—you paid higher for some and not— A.—Not any higher than 70 cents; we paid a round sum—I haven't the order-in-council here by me, but I will tell you the exact figures; we paid 35 cents per share for sufficient shares to give us a majority.

Q.—That is you bought sufficient shares to give you a majority at 35? A.—Yes.

Q.—Then? A.—And the balance at 70 cents.

Q.—From whom did you buy the balance? A.—From the same people. I am referring now to the original purchase of shares bought under agreement from the promoters, so-called Gibson and Taylor and their wives. They gave us delivery of a majority of the stock at one time for a certain price and then from time to time they gave delivery of the balance of their holdings at 70 cents per share.

Q.—At the increased price? A.—Well, yes, that was a different price. The whole effect was that we bought all their holdings, amounting to 31,000 shares—thirty-one hundred and some odd shares, for 45 cents per share.

Q.—That was the average price? A.—The average price, yes.

Q.—As a matter of fact, none were bought at that price? A.—No, some higher and some lower.

Q.—What is the total cost of all the shares to date that you purchased? A.—\$1,841.35.

Q.—That is, you have not paid out any more money than that for shares? A.—No, sir, we haven't.

Q.—And out of the five thousand shares that are actually issued, you have already purchased how many? A.—4,115 shares.

MR. MACKAY: That is the principal purchase, is it? A.—Yes, sir, from all sources.

MR. EWING: Some of the shareholders are farmers out along the line, are they not? A.—No, sir, I know of no farmer shareholders.

Q.—Well, did you buy any shares from farmers living along the line, or in that vicinity? A.—No, sir.

Q.—Well, then, there were no farmers who at any time were shareholders of the line, that is farmers living along the line? A.—I don't know of a single shareholder, Mr. Ewing, that is primarily a farmer; they are merchants and business men, lawyers, etc.

Q.—Where? A.—Around the valley, that is the local shareholders are in general, business men; they may have farm interests on the side, but it is not their prime occupation.

Q.—I am not meaning that; I was informed that a certain number of farmers along the line had contributed money to the purchase of shares? A.—No, sir?

Q.—That is not true? A.—No, sir.

MR. MACKAY: What is not true?

MR. EWING: That there were no farmers living along the line who purchased shares originally in the company. A.—That is true, there were no farmers.

Q.—Are your freight rates on that line under the control of the Railway Commission of Canada? A.—No, sir, they are not.

Q.—Is it officially in operation? A.—No, sir, it is not.

Q.—It is still under the construction department? A.—Construction, exactly so.

Q.—And upon what do you gauge your freight rates? A.—Well, they are based primarily upon the mountain tariff; as a matter of fact, they are slightly under mountain tariff; they are probably a good deal less than we could get the authority from the Board to charge.

MR. MACKAY: That is you could get authority from the Board to charge more? A.—Exactly so.

MR. EWING: What makes you think that? A.—Because, as a small line under construction, as a small line quite apart from being under construction, a short line, I am quite sure the Board would charge us the fullest mountain tariff; I am not charging that; it is a very short line; we are entitled to all the consideration we can get.

MR. MACKAY: Have you a schedule of freight rates there? You haven't got them here, have you? A.—I have one in the building.

MR. EWING: Your tariff is like those of any other railway, a fixed thing, isn't it? A.—Yes, it is fixed.

Q.—I was told about a man who went to take a threshing machine out to the end of your line and he was told the rate was \$50, and he said he could draw it out for \$20 with a team, and you said, "All right, your rate would be \$25.00." A.—No man ever got that rate from any authorized person on our line.

Q.—He didn't? A.—No.

Q.—Will you produce the tariff? A.—Immediately?

Q.—No, hand it in sometime during the day. A.—I will do that, all right.

Q.—You have the vouchers for all your expenditures of construction, have you? A.—Yes, sir, they are all here, and this is the key to them, the book on original railway —

Q.—Show me your key.

MR. MACKAY: Are you going into another phase of it? I was going to ask a question, if you were.

MR. EWING: Perhaps you had better do it now.

MR. MACKAY: You were speaking of farmers not being shareholders. This is a sort of a farmers' road out into a farmers' community, isn't it? A.—It is, yes.

Q.—Well, had the local farmers, or several of them, had some financial interest in the beginning? A.—They had.

Q.—What was the nature of that interest? A.—They subscribed to bonds before the bonds were issued, in small amounts; I think the total amount subscribed is around \$5,000.

Q.—They were so anxious to get the road that they subscribed bonds to help it out? A.—Yes.

Q.—Although they did not take actual stock afterwards? A.—No, sir, they didn't.

Q.—Now, then, it is said—you said that the Government paid \$1,841.35 (\$1,841.35) for the stock for the purpose of getting a controlling interest? A.—Yes, sir.

Q.—Can you give me a fair idea whether that was a cheaper way of taking it over than it would have been had the Government taken over the road? A.—The expense of foreclosure proceedings, that is probably a question for a lawyer.

Q.—What do you think? A.—I think they saved about \$20,000 on it.

Q.—It cost the way you took it \$1,841? A.—I think so, yes.

Q.—I think you are a little hard on the lawyers? A.—I am judging by the past, Mr. MacKay.

Q.—You have had some experience?

MR. EWING: Have the Government foreclosed any roads that you know, that you are speaking of the past? A.—No, I am speaking of foreclosures in general, legal fees in general, court delays, etc.

Q.—Your idea is it would have cost about \$21,000 to have foreclosed this? A.—About \$20,000.

Q.—Where did you get that estimate? A.—As I say, it is my impression, but it is an estimate certainly for a lawyer to rule upon it. You asked for my opinion.

Q.—I didn't; Mr. MacKay asked it. A.—That is my opinion.

Q.—Have you had an estimate made or is that just your own estimate? A.—That is not an estimate, that is my view.

Q.—Well, what do you base your view on? Did you ever know of a foreclosure that cost \$20,000? Did you ever know a foreclosure that cost \$2,000? A.—Well, I suppose, Mr. Ewing, there have been foreclosures involving large amounts, large interests, that possibly cost—a certain type of business for months —

Q.—I am asking if you ever knew any that cost that? A.—No, sir, I didn't.

Q.—Neither did I. Now, let me see this voucher register. What does 35 mean? A.—That is operation account; that is the number on the account dictated by the Department of Railways and Canals in Ottawa as being the number for operation during construction.

Q.—That is, all accounts for operation during construction are numbered 35, according to this standard system? A.—Yes, sir.

MR. MACKAY: That is the road sheets for which you were asking a while ago. I thought you might want to ask the witness something about it. A.—There are 48 accounts, Mr. Ewing.

MR. EWING: Well, I don't think I will attempt to — A.—I presume this is chiefly what you would require—the name of the payee, the amount paid and on what account it was paid; this is the nature of the service rendered.

Q.—I notice you paid the E. D. & B. C. Railway \$230.90? A.—That was on account of steel hauled by them over their road from the Interurban Railway to the Grand Trunk.

Q.—That is you purchased the steel? A.—We didn't buy steel from them, but it was hauled on their line.

Q.—All right; I see your system. I have't time to go into it this morning. Just show me one of your vouchers. A.—Well, I will take a more recent one. These vouchers here comprise items occurring when the company had sole control and which have been revouchered according to the prescribed system.

Q.—That is, you brought the old portion of the road under the standard system? A.—Of their costs.

Q.—You made out vouchers? A.—Exactly so.

Q.—And have you had these vouchers re-signed? A.—No, they are simply bookkeeping records. All their vouchers are there.

Q.—Show me your last — A.—I am just taking one at random; that is representing the original invoices 35 is correct as to material received and prices by the man locally in charge, by our engineer in charge, or superintendent, as the case may be.

Q.—Who is that? A.—Mr. F. A. Ames.

Q.—Living at Lacombe? A.—Living at Bentley.

Q.—Now, then, where is your — A.—He makes out this voucher specifying invoices; he has a voucher and that is the total of them, in those days before the Government took over the line, but while we were directing its operations, you see, financially for it, he signed that as correct; I approved for the Department, or Mr. Harvey, as the case may be, from time to time, whichever is around, and the secretary for the company.

Q.—Is Mr. McBride still secretary for the company? A.—He is secretary.

Q.—Is Mr. McBride under salary for that position? A.—He is, sir.

Q.—What does he get? A.—\$50 a month.

Q.—What are his duties? A.—Well, the usual secretarial duties as secretary of a company.

Q.—The secretarial duties of a company? A.—Yes, keep the minute books, shareholders' books, minutes, etc., attending meetings.

Q.—Mr. McBride is a solicitor practicing in Edmonton, is he not? A.—Yes.

Q.—And you pay him \$50 a month for acting as solicitor? A.—Secretary.

Q.—He is the solicitor of the company? A.—I don't think the company have a regular appointed solicitor at all; I am not sure as to that point, Mr. Ewing.

Q.—I notice Mr. Ford holds quite a large number of shares in trust? A.—Well, for the Government, not for the company; Mr. Ford is essentially the Government Counsel in this particular case.

Q.—How much have you paid out during the last year in solicitors' fees? A.—I have no information as to the last year, Mr. Ewing.

Q.—Including — A.—I can get you that; I can't say off-hand. I have the total, you see, to date for the several years past, but not for any one year.

Q.—You haven't got the amount paid out for 1918, have you? A.—No, sir, but I can procure that for you.

Q.—Perhaps you had better procure that for me. Give me a statement of it.

MR. MACKAY: Just one question, Mr. Warner. Is the system of accounting that is now being used on this railway the system of accounting authorized by the Dominion Railway Commission? A.—Yes,—the Dominion Railway Commission, no, sir.

Q.—By what? A.—It is prescribed by the Department of Railways and Canals, at Ottawa.

Q.—It is the Department that does it? A.—Yes, exactly.

Q.—But that is the regular system you are using. That is all, thank you.

MR. EWING: Have you got the vouchers for the payments out on the McArthur road during the last year?

MR. NORMAN HARVEY: No, I haven't, Mr. Ewing. I haven't had a chance to get them myself. Douglas is away, and I haven't time to get them.

MR. EWING: Mr. Chairman, while we are waiting perhaps we had better discuss the question of the report.

THE CHAIRMAN: The Report of the Public Accounts Committee?

MR. EWING: Yes; we will close the evidence to-day. I had suggested some time ago a line of action which it seemed to me to be reasonable, and which could not possibly be unfair to anybody, and would, therefore, be fair to everybody, and which would involve the minimum discussion, and possibly no discussion, and which would certainly involve the minimum of friction. That course the Committee turned down, and I assume that having set that practice, they propose turning it down.

THE CHAIRMAN: The Public Accounts Committee?

MR. EWING: Yes.

THE CHAIRMAN: There was no suggestion made so far as I am aware.

MR. EWING: I assume the stand you took in the other will be taken in this; there is no difference between them.

MR. MACKAY: What recommendation do you want to make?

MR. EWING: The recommendation I did make was that this committee present a report—We came under, as you will remember, Mr. Chairman, a certain amount of criticism from the Attorney-General when he happened to be in here one day in connection with a discussion on a report that was presented last year because we had not formally presented a report. As you will remember, Mr. Chairman, in other years we followed the course of simply reporting the evidence to the House without comment and without further report, and simply recommending that it be printed. An unfortunate thing happened last year, and when we discussed it, the Attorney-General was of the opinion that we were negligent in our duty in not having prepared a report to put in. Now, if we are going to follow the course—my recommendation was then that this Committee present a report; if any other members of the Committee choose to present another report, that that report be appended, and it go in to the House. That course seemed to me to be quite reasonable, unfair to nobody, and, in fact, fair to everybody. However, the Committee has adopted an entirely different line of action, and that leaves, of course, no course open to me, if I wish to present a report, but to present it on the floor of the House. You will, I presume, prepare a report. I haven't any idea what it will be, but when it is prepared, I, as a member of the Committee, will vote on it, for or against it as the case may be, and if it does not meet with my approval, I will have no other alternative but to present another report which does seem to me to embody what ought to be in the report on the floor of the House; I take it that is the settled practice.

MR. MACKAY: Are you satisfied just to report the evidence, Mr. Ewing? We have been taking evidence on half a dozen things. Are you satisfied to report the evidence and let the House do what they like with it; any discussion you like?

MR. EWING: I had not considered that because I thought that had gone by the board.

MR. MACKAY: What do you mean?

MR. EWING: Mr. Boyle thought it wasn't the proper thing to do.

MR. MACKAY: There is nothing specific delegated to this Committee surely; this is the Public Accounts Committee.

MR. EWING: No, we can do anything we like.

MR. MACKAY: We can do just as we like in that respect. If you are going into a report on every phase touched here, it would take a long time. I suggest that we report the evidence, that if it is wanted to discuss some phase of the evidence taken, that the shorter, the more formal way, the way of getting a record and a division of the votes taken and everything, would be simply to report the evidence, then put a resolution on discussing any phase of this you like.

MR. EWING: That was the point I had in mind. You see, this is Monday; we are getting close to the end of the Session. A clear day's notice is required, if the House insists upon it, and I assume they would insist upon it, so we have to close, if we want to discuss any phase of that in the House.

MR. MACKAY: That is the point I am getting at. Suppose we report the evidence. Then you put your notice in to-day, you can at least get it on Wednesday—you see, we have been on half a dozen things—on whatever we want, and then you get your record.

MR. EWING: That seems to be all right. I would just report the evidence.

MR. MACKAY: I am just satisfied that the Chairman report the evidence to the House.

CHAIRMAN: I think that is the best way to do it myself.

DR. STATE: I think so, too. In the other matter it was an entirely different question.

MR. MACKAY: If we get it before the House, nobody can say they haven't had an opportunity to discuss it, to divide the House. Report the evidence to the House, and then everybody can speak on it.

MR. EWING: I would like to get a straight ruling of the Speaker on that point. However, if the Committee is of that opinion, I haven't any objection. There are some features of this that I want to discuss.

MR. MACKAY: Don't you think you will save time and get your record by sending it down to the House and discussing it there?

MR. EWING: Yes, I am agreeable to that, that the evidence be reported to the House and with the recommendation that it be printed.

MR. MACKAY: I don't care for that; we didn't do that in the other.

MR. EWING: Yes, we have always done that.

MR. MACKAY: Excuse me, what I was figuring on, although that Boudreau thing was special, the way the evidence came in, relating back, I think anybody reading it should read the whole thing. We didn't deal with that, and I think in this we should deal with that, and deal with the whole thing.

MR. EWING: If it does not come from this Committee, it requires a subsequent motion in the House.

MR. MACKAY: What I am pointing out, there is no such recommendation with respect to the evidence taken in the Boudreau case; it is simply reported.

MR. EWING: We can do that in connection with a report on this Committee. This is the procedure we followed in this Committee ever since I have been here; the Committee reports the evidence to the House, and recommends it be printed, and then the report is adopted and that is instructions to print.

MR. MACKAY: But technically that would not cover the evidence that has gone in now, and, technically, we would have no right, as a Public Accounts, to make a recommendation with reference to that; that is a special Committee, and it has done that. I would suggest reporting this in, and then let the House print the whole thing.

MR. EWING: Yes, that can be done. Yet, seeing that it is involved the way it is now, probably reference to it will require a motion in the House. Who is going to move that? That requires a day's notice.

MR. MACKAY: The printing committee has power to print anyway. What I am getting at is this; that was a special committee; it has gone in, and there is nothing to it, technically we have no right to say a word about it, but if the House is dealing with it, or the Printing Committee are dealing with it, I think they should print the whole thing in order.

MR. EWING: Continuously.

MR. MITCHELL: I am going to see this year the Printing Committee meet a little earlier than usual.

MR. EWING: If the Printing Committee will send in that recommendation that will be all right.

MR. MITCHELL: What do you want?

MR. EWING: Print the evidence of the Public Accounts Committee.

MR. MITCHELL: We do that always.

MR. EWING: That does not include the Special Committee.

MR. MITCHELL: I am going to call the Printing Committee together to-day or to-morrow, if I can get them, and we will just ask the people on the Opposition representation on that Committee what they want printed, and discuss it, and let them know at the next meeting. The Printing Committee has been printing stuff that they did not know what it looked like, even, and there ought to be a little examination of these things to see what kind of things they are printing.

MR. MACKAY: That is other stuff; there will be no trouble about this.

NORMAN HARVEY, being recalled, and examined by Mr. Ewing, testified as follows:

Q.—Will you show me the vouchers on the payments on the Dunvegan—— A.—Will you deal with the Dunvegan last, if you are going to deal with other railways; I am just completing that.

Q.—All right; show me A. & G. W. vouchers. (Witness produces). These are the vouchers, are they? A.—Yes, these are all the vouchers.

Q.—Can you tell me the amount that remains unpaid in respect of this railway? A.—In the trust funds?

Q.—Yes. A.—I can't just off-hand. Did you not get that statement on Friday? I understood you did.

Q.—Yes, but I haven't it here. Show me your estimates, the estimates for the work done. These all refer, I think, to payments of interest? A.—No. 45, that is here.

Q.—Just explain this progress estimate. A.—In the first place, this progress estimate is divided into various headings going to make up the cost of the line running from engineering to material on hand. The first column here shows the quantities of material or work included in this estimate, the second column shows the previous estimate, the third column shows the total to date; the fourth column shows the rate per unit, or the unit price; the fifth column shows the total cost.

Q.—The total cost to date? A.—Yes.

Q.—This progress estimate is dated the 31st day of January, 1919? A.—Yes.

Q.—Show me the total cost to date of that road as shown by your progress estimate. A.—\$6,748,613.77.

Q.—How much of that is interest? A.—There is an amount shown under interest of \$1,326,151.36.

Q.—Now, just tell me what that means, that interest charge? A.—That interest would include, just off-hand, the interest on bonds during the construction period.

Q.—What is that? A.—The interest on the bonds of the line during the construction period.

Q.—That is the interest paid by the company on its bonds? A.—Yes.

Q.—How does that appear in your progress estimate? A.—They would include that in their estimate of work done as a portion of the cost of the line.

Q.—I see. The company have been including since the commencement of the construction of this line the total interest on their bonds as a portion of the cost of the road? A.—Well, you couldn't say the total interest.

Q.—Well, what interest have they been charging? A.—The interest charged would be the interest on the bonds of the line, or that portion of the line which was under construction.

Q.—Isn't the whole line under construction now? A.—There is a portion of the line that we classify as not being under construction between here and Lac la Biche.

Q.—That is, the portion of the line between here and Lac la Biche is no longer under the operating department? A.—It is under the operating department.

Q.—That is, it has passed from the construction department altogether? A.—Yes.

Q.—When did that happen? A.—Well, I couldn't tell you the date off-hand.

Q.—About when? A.—I should think it would be in the neighborhood of two years, speaking off-hand.

Q.—About two years ago? A.—I think so.

Q.—And up till two years ago the whole line was under construction, technically speaking? A.—I think that is right, yes.

Q.—And for the last two years that portion of the line from Lac la Biche to Fort McMurray has been under construction? A.—Yes.

Q.—And the interest which you mention would be the total interest on the bonds up till two years ago, plus the interest on the proportion of the bonds represented by the road from Lac la Biche to Fort McMurray since then? A.—Less the interest accruing on the trust funds in the bank.

Q.—That is, in the charges (?) which they make to you on account of interest in the progress estimate, they deduct the interest which they have received from the bank on the trust funds deposited there? A.—They have an interest account, of course, in their books, which takes care of the transactions just that way and this, I imagine, will be about the amount of their interest account.

Q.—I want to be very clear about this, Mr. Harvey. Their practice is this, they have the total interest on their bonds; they deduct from that the interest which is earned from their trust account, and the balance is charged to the road which is under construction as a part of the construction cost? A.—You mentioned total interest; just qualify that with the total interest on the bonds covering that portion of the line under construction, and that is right.

Q.—Well, subject to the answer which you previously gave as to the portions of the road under construction, my question is—you would answer in the affirmative? A.—Yes.

Q.—And on that basis the total interest charged to date as part of the construction is \$1,326,151.36? A.—We have allowed that amount as a portion of the cost of the road to figure out our estimate payments.

Q.—Have you paid any interest direct to bond-holders? A.—None.

Q.—On every progress estimate which you have in connection with the A. & G. W. you have made a cheque payable to the Alberta and Great Waterways Railway Company for the total amount shown on the progress estimate? A.—Yes, we have.

Q.—In all cases? A.—Yes.

Q.—There has been no exception? Well, have you ever had that endorsed by the Railway Company and paid to the bond-holders? A.—No, we never have.

Q.—Have you ever seen that any portion of this money has gone to the bond-holders? A.—Our provision for that is that we have to—under our procedure for paying interest on the trust

funds in the bank is that we never pay that interest out to the Company until we are satisfied that the bond-holders' interest has not been defaulted.

Q.—Tell me how you satisfy yourself as to that? A.—I think it is a declaration of the Company that the interest has been paid. I am not quite sure, Mr. Ewing as to that. We would hear about it soon enough if they weren't paid.

MR. MACKAY: I guess so.

MR. EWING: Have you heard any rumblings of that? A.—No, sir, not any rumbling.

Q.—Haven't even heard any reports of that kind, have you?

MR. MACKAY: Don't go into gossip, now, please.

MR. EWING: With reference to the accrued interest in the bank, you pay that out how often? A.—I don't think there is any stated time. It is generally paid to them about the time their interest is due, that is, the company's interest to the bond-holders.

MR. HOADLEY: How often is that? A.—Here is a payment on January 24th, authorized by Order-in-Council for interest; here is a payment on September 25th, 1918, authorized by Order-in-Council for interest.

MR. MACKAY: They are both authorized by Order-in-Council, are they? A.—Yes.

MR. EWING: What is the both? A.—One in January and one in September.

Q.—Both authorized by Order-in-Council? A.—Oh, yes.

Q.—Why? A.—Under the provisions of Chapter 10 of the Statutes of Alberta, 1910, second session.

Q.—Do you mean to say you have an authorization by Order-in-Council to pay out the interest? A.—To pay out the accrued interest on trust funds in the bank, yes.

Q.—I thought there was a statute authorizing that? A.—Section 13, Chapter 10, of the Statutes of 1910, provides that.

Q.—Your practice is to let the interest accrue, and about the time the railway needs the money for payment of their bonded interest, you pay out the money that has accrued for interest to date on the trust funds? A.—That is about the practice.

MR. HOADLEY: That would apply to the whole of the accrued interest on the whole of the money realized, not on the portion of that that was under construction?

MR. MITCHELL: Well, the statute says we can do that.

MR. HOADLEY: Well, you did it in these two cases? That is what I want to get at. It was not a question of the interest that would apply to the portion under construction; it was the accrued interest on all the money realized under the sale of the A. & G. W. bonds? A.—It is the accrued interest on the balances remaining in the trust fund.

Q.—But not necessarily applied to that under construction? A.—Oh, what is under construction has nothing to do with it; we are dealing with unpaid balances under the trust account.

MR. EWING: Let us see if I am correct, Mr. Harvey. With respect to the interest that the bank allows you, on the balance from time to time remaining in the trust fund, the bank allows you interest on that and from time to time you pay that out to the Railway Company? A.—Yes.

Q.—And, you say, you usually pay it about the time that their interest on the bonds become due? A.—Yes, sir.

Q.—Now, then, with reference to the interest paid by the Company on its bonds, of course, the Company has to pay interest on its total bonded indebtedness? A.—Yes.

Q.—But you only allow as part of the construction cost interest on the bonds covering the portion of the road which is under construction? A.—That is right.

Q.—That is the interest on the balance the Company must raise itself.

MR. HOADLEY: Is that so? A.—Oh, sure.

Q.—By the way, as to the mileage —

MR. MACKAY: It is built to the full mileage under construction, 350 mileage, of course.

MR. EWING: What is the exact mileage from Edmonton to McMurray over your line? A.—I think it is 289 miles; the main line is 289 miles, and the balance the Egg Lake branch.

Q.—How much is the Egg Lake branch? A.—That would be the balance from 350.

Q.—You make up a total mileage of 350? A.—Yes, 61 miles.

Q.—We don't want any money lying around loose. A.—That is a branch line of the Waterways under the Waterways Charter.

Q.—You say that about two years ago you decided that you would remove that portion of the road from Edmonton to Fort McMurray from the Construction Department, and put it under the Operating Department? A.—I think the Company made application to the Department to have that portion of the line between Edmonton and Lac la Biche placed under the Operating Department reported on by the engineer and authority given.

Q.—That is what I want to get at. The decision for doing that rests with your Department? A.—Yes, sir.

Q.—That is, no portion of a railway can be removed from the Construction Department and put under the Operating Department without the authority of your Department? A.—That is, if they are under the jurisdiction of the Province.

Q.—I mean those roads that are under the jurisdiction of the Province. A.—It is, generally, that the Company itself makes that application.

Q.—I know that is the regular procedure. It is usually done by the Company making application, and, when advisable, assented to by your Department? A.—Yes, sir.

Q.—When it comes under the Operating Department, does it then come under the jurisdiction of the Board of Railway Commissioners of Canada? A.—No, sir, it still remains under the jurisdiction of this Department.

Q.—That is, this road does not come at any time under the jurisdiction of the Railway Commission of Canada? A.—Except as far as its dealings are concerned with the line under the Dominion Board, that is interchange and that kind of thing.

MR. MACKAY: If it joins with a transcontinental, or a road under the Dominion, then to that extent it is under the Dominion? A.—Yes, yes.

MR. EWING: What is the mileage of that road which remains to be constructed? A.—The steel is to the last cache on the Waterways, I think about in the neighborhood of ten miles up to the Clearwater River from McMurray.

Q.—The steel is laid to within ten miles of the terminus? A.—Yes.

MR. MACKAY: It is laid right to the river traffic? A.—Yes.

MR. EWING: And the grade is right to the terminus, is it? A.—I think it is, Mr. Ewing, yes.

Q.—The Egg Lake branch, of course, was completed long ago? A.—A portion of it is completed; the balance is under construction.

Q.—Oh, is there some of the Egg Lake branch under construction? A.—I am not sure of the number of miles of steel laid; eleven miles of steel laid on the Egg Lake branch, and there is forty miles graded.

MR. WARNER: 11 built and 30 miles graded.

MR. MACKAY: The 20 miles sidings make up the 350, if you will add it up; that makes the whole 350 miles.

MR. EWING: That is a fine system, this siding business.

MR. MACKAY: I never knew a railway without it.

MR. EWING: They serve some wonderful purposes.

Q.—How many miles of that branch line — A.—This is information I wish you would get from the engineers, I cannot give it.

Q.—I thought you might have it, seeing the engineer is not here. How many miles of siding, can you tell me? A.—On the Egg Lake branch?

Q.—Yes. A.—I don't know.

Q.—That is under operation, of course, the Egg Lake branch? A.—No, that is still under construction.

Q.—Well, it is, in fact, under operation, is it not? A.—They may be hauling some construction trains over it.

Q.—The eleven miles? A.—I imagine they will be hauling construction trains over it; it has never been approved for operation.

Q.—Are they hauling logs over that quite frequently? A.—I haven't the faintest idea.

Q.—You have no knowledge of that at all? Do you know whether they are hauling any freight of any kind over it? A.—I wouldn't have that knowledge, Mr. Ewing.

Q.—Who would likely have that knowledge? A.—The engineer, Mr. Douglas.

Q.—He is out on the line now? A.—He is out on the line now, yes.

Q.—In your capacity as Deputy Minister have you any knowledge of the freight that is being hauled over that road? A.—Well, I wouldn't have definite knowledge, Mr. Ewing, just a general idea, that is all.

Q.—What I mean is, have you any idea of the class of freight that is being hauled? A.—Just a general idea.

Q.—What portion of the freight, can you tell us, consists of logs and timber products? A.—Well, now, there is a good deal of timber product comes out of there; for instance, in our activities in connection with the Lacombe and Blindman this year, we have, I think, some returned soldiers up there cutting ties for us, shipping down under contract with the Lacombe line. There is a good deal of timber product up there.

Q.—And from whom did you buy them? A.—Well, they would be cutting for us direct under contract, direct for the Lacombe and Blindman Valley.

Q.—You didn't buy from the A. & G. W.? A.—No, simply cutting from the territory adjacent to that line.

Q.—That is not a very small item. I am coming back to my question now. Can you tell me, roughly, of course I would not expect you to be accurate, what approximate proportion of the freight of that road consists of logs and lumber, wood products? A.—I couldn't give you that, Mr. Ewing, definitely.

Q.—Oh, no, I don't mean definitely, but could you give me any — A.—Oh, I couldn't guess at it.

Q.—Does this sawmill out at the Dunvegan yards draw its entire supply of raw material over that road, the country contiguous to that road? A.—I couldn't tell you that, Mr. Ewing. I don't know where they are cutting.

Q.—Some cuts along the Dunvegan? A.—Oh, yes.

Q.—Have you ever been along the Egg Lake line? A.—No, I never have been on the Egg Lake branch.

MR. EWING: If I may, I will ask the engineer perhaps to give us some information.

H. A. O. WARNER, being recalled, and examined by Mr. Ewing, testified as follows:

Q.—Mr. Warner, can you tell me—you have some knowledge of the freight that comes in over the Alberta and Great Waterways? A.—Only of a few cars—I make no contract at all with the McArthur lines.

MR. HOADLEY: Have you never been over it? A.—Oh, yes, I have been over it.

Q.—Have you ever been up on the Egg Lake branch? A.—No, Mr. Douglas has solely looked after that line.

Q.—Have you ever been up the A. & G. W.? A.—No, I haven't.

Q.—When did Mr. Douglas leave on this inspection? A.—The day following on the accident on Murray Hill, he had to go up there.

MR. NORMAN HARVEY: I might like to explain Mr. Douglas' absence. When that came up, I suggested to the Premier that we had to have a report on the condition of the track, and we took advantage of a dinky that was going up, and I had Mr. Douglas go up on that train. It was the only chance in about a month of someone getting up there.

MR. EWING: Mr. Douglas is the only witness whom I want to get, and apparently is not available, unless somebody else wishes to call someone.

THE CHAIRMAN: Has the Public Accounts ceased their operation?

MR. EWING: Except its report.

MR. MACKAY: Except you have got to report the evidence to the House.

THE CHAIRMAN: Have we to meet here again?

MR. MACKAY: No. The understanding is he simply report the evidence to the House.

THE CHAIRMAN: Mr. Ewing and Mr. MacKay get together and straighten this matter out.

MR. MACKAY: There is nothing to straighten.

THE CHAIRMAN: Well, decide on what you are going to do.

MR. EWING: Use the form used last year, only cut out that comment that they found everything satisfactory.

THE CHAIRMAN: I heard no kicks about it. I took it for granted, I was right.

Just report the evidence to the House.

MR. MACKAY: I move that the Committee, finally, adjourn with those instructions. I suppose we might as well adjourn.

MR. EWING: The Chairman be instructed to prepare a report—simply report the evidence to the House without comment.

MR. MACKAY: I move that the Committee, finally, adjourn. (All agreed.)

Committee adjourned at 11.30 a.m.

THE CHAIRMAN: That is 31 meetings we have held.



